Vol. 125

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
MAY 10 1904
BUREAU.

Secretary of State.
MAY 10 1904
ASSISTANT SECRETARY,
MAY 9 1904

No. 1557.

April 1st, 1904.

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RECEIVED
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Mr. Conger

To the Secretary of State.

CHIEF CLERK,
MAY 7 1904
Department of State.

Subject:

Proclamation of Martial Law at Newchwang by Viceroy Alexieff.

(Confirming telegram sent March 29,1904)

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MAY 10 1904
FILED

No. 1557.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 29th instant as follows:

Secstate, Washington.

Twentyninth. Russians have proclaimed martial law at Newchwang formally notifying foreigners.

(Signed) Conger.

I enclose copy of the order of Viceroy Alexieff proclaiming this situation.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Proclamation of Viceroy Alexieff.

No. 1571.

Enclosure No.— In Despatch No. 1557.

Proclamation of Viceroy Alexieff.---

Order of the Day, 14 March, 1904.

No. 25.

By Order of the Day of His Majesty the Emperor's Lieutenant in the Far East the City of Yingkow is declared to be in State of War.

While awaiting publication at Yingkow of the text of the above mentioned order, His Excellency prescribes that the following arrangements be put into immediate operation.

1. The whole territory of the city and port as well as all persons without distinction of jurisdiction and nationality dwelling in this territory are subjected to the special regulations regarding the State of War.

2. An inspection will be established of travellers arriving at sea, as well as of cargoes entering the port; in consequence whereof all steamers and sailing vessels which have entered the mouth of the river Liao, are bound to stop at a distance of 5 1/2 miles below the Fort; during the day only, when the high tide and the direction of the current shall permit, a boat having on board a Naval officer and a Customs official will approach the said place to visit the ships arrived and to conduct them to the moorings whose limits will be fixed by the Customs.

3. The importation at Yingkow of arms and of munition of war is forbidden.

4. The exportation of articles of contraband of war from Yingkow to the ports of Japan and Corea is forbidden.

5. Persons desiring to export such articles to neutral ports are bound to deposit at the Customs House a precautionary sum equivalent to the value concerned, which will serve as a guarantee that it shall not be forwarded from the neutral port to Japan and Corea.

6. The functions of the light ship and marks of navigation at the mouth of the river Liao will be temporarily suspended.

Enclosure No.— In Despatch No. 157.

Proclamation of Viceroy Alexieff.---

Order of the Day, 14 March, 1904.

No. 25.

By Order of the Day of His Majesty the Emperor's Lieutenant in the Far East the City of Yingkow is declared to be in State of War.

While awaiting publication at Yingkow of the text of the above mentioned order, His Excellency prescribes that the following arrangements be put into immediate operation.

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3. The importation at Yingkow of arms and of munition of war is forbidden.

4. The exportation of articles of contraband of war from Yingkow to the ports of Japan and Corea is forbidden.

5. Persons desiring to export such articles to neutral ports are bound to deposit at the Customs House a precautionary sum equivalent to the value concerned, which will serve as a guarantee that it shall not be forwarded from the neutral port to Japan and Corea.

6. The functions of the light ship and marks of navigation at the mouth of the river Liao will be temporarily suspended.

7. In what concerns articles contraband of war, one is bound to follow the ruling confirmed by His Majesty the Emperor of the 14th of Feb. 1904.

8. The military and civil authorities of Yingkow are bound to be guided by the regulation annexed to Article 23 of the Institute on Governments.

Signed: Grosse.

Articles which Constitute Contraband of War.

Artillery and small arms, armour plate, fire arms, Explosives, Materials and munitions of military transport, of artillery and engineering, iron wire, military bridges, military equipment, Seagoing ships proceeding to a hostile port for a military purpose, even if it be under a neutral commercial flag, machinery of seagoing ships, boilers, oil, naphtha and spirits of wine, telegraph, telephone and railway materials, foodstuffs, beans, beancake oil, rice, horses and other animals, and in general all articles intended to serve in war by land or sea.

7. In what concerns articles contraband of war, one is bound to follow the ruling confirmed by His Majesty the Emperor of the 16th of Feb. 1904.

8. The military and civil authorities of Virginia are bound to be guided by the regulation annexed to Article 23 of the Institute on Governments.

Signed: Crozes.

Articles which Constitute Contraband of War.

Artillery and small arms, armour plate, fire arms, Explosives, Materials and munitions of military transport, of artillery and engineering, iron wire, military bridges, military equipment, Escorting ships proceeding to a hostile port for a military purpose, even if it be under a neutral commercial flag, machinery of escorting ships, boilers, oil, naphtha and spirits of wine, telegraph, telephone and railway materials, foodstuffs, beans, peacocks oil, rice, horses and other animals, and in general all articles intended to serve in war by land or sea.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1558.

April 1, 1904.

Mr. Conger to the
Secretary of State.

Subject:

Impracticibility of procuring satisfactory photographs of Legation buildings for exhibit at St. Louis.

(Department Circular of January 13, 1904)

No. 1558

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Acknowledging Department's Circular of January 13th, 1904, I have the honor to say that the situation of the various Chinese buildings now occupied by this Legation makes it impracticable to procure satisfactory photographs thereof for exhibit at the Louisiana Purchase Exposition.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

1558

April 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Acknowledging Department's Circular of January 13th, 1904, I have the honor to say that the situation of the various Chinese buildings now occupied by this Legation makes it impracticable to procure satisfactory photographs therefor for exhibit at the Louisiana Purchase Exposition.

I have the honor to be, Sir,

Your obedient servant,

DIPLOMATIC
MAY 11 1904
BUREAU

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY,
MAY 10 1904

No. 1559.

April 1, 1904.

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Mr. Conger

To the Secretary of State.

3 encls

INDEX BUREAU
MAY 13 1904
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J. Navy
Gen. Gen.
Navy 12
file

Subject:

Order of Commander in Chief of Russian fleet respecting display of National flag by vessels in theatre of military operations.

CHIEF CLERK.
MAY 7 1904
CHIEF CLERK,
MAY 7 1904
Department of State.

No. 1559.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith copy of a note from the Russian Minister here, embodying the order issued by the Commander-in-Chief of the Russian Fleet in the Pacific Ocean concerning warships and other vessels which may be sighted by ships of the Russian Navy.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Lessar to Mr. Conger, March 30th, 1904.

No. 1553.

April 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith copy of a note from the Russian Minister here, embodying the order issued by the Commander-in-Chief of the Russian Fleet in the Pacific Ocean concerning warships and other vessels which may be admitted by ships of the Russian Navy.

I have the honor to be, Sir,

Your obedient servant,

G. H. Cooper

Enclosure:

Mr. Lessar to Mr. Cooper, March 30th, 1904.

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Enclosure No.— In Despatch No. 1559.

Mr. Lessar to Mr. Conger.--

IMPERIAL RUSSIAN LEGATION,

CHINA.

Peking March 17/30, 1904.

Mr. Minister and Dear Colleague:

I have just been informed of the following order which has been issued by the Commander-in-Chief of the Russian Fleet in the Pacific ocean:

"Any ship of war or of commerce which shall be sighted in the parts of the sea covered by military operations without lights at night and without national flag by day and which shall not hoist its flag after having been invited to do so by a shot, will be considered an enemy vessel and will be sunk."

The adoption of this measure is made necessary by existing circumstances, and I deem it my duty to advise Your Excellency of it in order to avoid any deplorable mistakes.

I take this occasion to renew, Mr. Minister and Dear Colleague, the assurance of my high consideration.

(Signed) P. Lessar.

His Excellency,

Mr. Conger,

Minister of the United States of America,

etc., etc., etc.

Enclosure No.— In Despatch No. 1579.

Mr. Lessar to Mr. Conger.--

IMPERIAL RUSSIAN LEGATION,

CHINA.

Peking March 17/30, 1904.

Mr. Minister and Dear Colleague:

I have just been informed of the following order which has been issued by the Commander-in-Chief of the Russian Fleet in the Pacific ocean:

"Any ship of war or of commerce which shall be sighted in the parts of the sea covered by military operations without lights at night and without national flag by day and which shall not hoist its flag after having been invited to do so by a shot, will be considered an enemy vessel and will be sunk."

The adoption of this measure is made necessary by existing circumstances, and I deem it my duty to advise Your Excellency of it in order to avoid any deplorable mistakes.

I take this occasion to renew, Mr. Minister and Dear Colleague, the assurance of my high consideration.

(Signed) P. Lessar.

His Excellency,

Mr. Conger,

Minister of the United States of America,

etc., etc., etc.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1560.

April 2, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Chinese Indemnity Awards - Final payment.

Returning vouchers of two absent beneficiaries.

Returning signed vouchers as per list.

(Receipt of Department Instruction No. 762
of February 16, 1904)

No. 1560

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge Department Instruction No. 762, of February 16th, 1904, transmitting 96 Treasury warrants, with vouchers covering the same, for the final payment of 25% of the Chinese Indemnity awards.

I return herewith the warrants and vouchers of two beneficiaries now in the United States, the Rev. Henry Olin Cady, whose present address is c/o Mission Rooms, 150 Fifth Avenue, New York, and Amelia P. Lowrie who may be reached through the headquarters of the American Presbyterian Mission in New York.

I also enclose 28 vouchers duly signed and attested, as per list annexed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Two Warrants, and Vouchers as stated.

Enclosures all detached and filed in Bureau of Accounts May 9-1904- F.

Vouchers for Cady & Lowrie mailed to New York, May 5-1904.

No. 1568

April 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge Department Instruction No. 782, of February 16th, 1904, transmitting 84 Treasury warrants, with vouchers covering the same, for the final payment of 84% of the Chinese Indemnity awards.

I return herewith the warrants and vouchers of two beneficiaries now in the United States, the Rev. Henry Gilbert Healy, whose present address is c/o Mission Rooms, 150 Fifth Avenue, New York, and Amelia Z. Lovell who may be reached through the headquarters of the American Presbyterian Mission in New York.

I also enclose 2 vouchers duly signed and attested, as per list inclosed.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

Two Warrants, and Vouchers as stated.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY.
MAY 19 1904

DIPLOMATIC
MAY 20 1904
BUREAU

No. 1561.

April 4, 1904.

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Mr. Conger

To the Secretary of State.

Subject:

Immigration Treaty. Efforts to have Chinese Government withdraw notice of termination of. No. 1524 of March 1st continued.

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MAY 20 1904
FILED

No. 1561.

April 4, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Immigration Treaty. Efforts to have Chinese Government withdraw notice of termination of No. 1894 of Nov. 17 continued.

No. 1561.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 4th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1524, of March 1st last, I have the honor to report another conference with Prince Ch'ing. I have again urged him, in the interest of both our Governments, to withdraw their notice of annulment of our immigration Treaty.

He says they have not yet had an opportunity to sufficiently consider the question, but that he will take it up again with his Colleagues, and report to me before June 7th next definitely whether or not they cannot withdraw their notice.

I explained to him fully the impossibility of securing the approval of a Treaty even as favorable to the Chinese as the present one.

He replies that he fully realizes that it would be very unfortunate to annul this Treaty, unless a better one could be made; that he would be perfectly willing to extend the Treaty for almost any less number of years, if any way could be devised to do so, but says that ten years is so long a period, he does not feel willing to take the responsibility.

I made him understand that you would be glad to join him in some sort of a compromise for a shorter period, but that the Treaty itself fixed it unalterably at ten years, and therefore nothing could be done except for China to withdraw her notice, or else, on December 7th next, find herself without a Treaty, and subject to any sort of

anti-

No. 1561.

April 4th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1554, of March last, I have the honor to report another conference with Prince Ch'ing. I have again urged him, in the interest of both our Governments, to withdraw their notice of annulment of our Immigration Treaty.

He says they have not yet had an opportunity to authoritatively consider the question, but that he will take it up again with his colleagues, and report to me before June 7th next definitely whether or not they cannot withdraw their notice.

I explained to him fully the impossibility of procuring the approval of a Treaty even as favorable to the Chinese as the present one.

He replies that he fully realizes that it would be very unfortunate to annul this Treaty, unless a better one could be made; that he would be perfectly willing to extend the Treaty for almost any less number of years, if any way could be devised to do so, but says that ten years is so long a period, he does not feel willing to take the responsibility.

I made him understand that you would be glad to join him in some sort of a compromise for a shorter period, but that the Treaty itself fixed it unalterably at ten years, and therefore nothing could be done except for China to withdraw her notice, or else, on December 7th next, find herself without a Treaty, and subject to any sort of anti-

anti-Chinese legislation that popular clamor might influence Congress to enact.

I shall continue opportunely to discuss the matter, but with what success cannot be foretold.

I have the honor to be, Sir,

Your obedient servant,

C. H. Conger

anti-Chinese legislation that popular clamor might in-
fluence Congress to enact.

I shall continue opportunely to discuss the matter,
but with whom Chinese cannot be forgotten.

I have the honor to be, Sir,

Your obedient servant,

ASSISTANT SECRETARY,
APR 5 1904

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
APR 5 1904
BUREAU.

From PEKING,
April 5, 1904,
3:18 a. m.

Secretary of State,
Washington.

FOR RELS. 1904.

5th American correspondents New Chwang were released yesterday. Their Japanese servants held as prisoners of war.

CONGER.

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APR 9 1904
FILED

Deciphered by the Chief Clerk's Office, April 5, 1904. 9:35

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
MAY 18 1904
BUREAU.

No. 1562.

April 5, 1904.

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Mr. Conger to the
Secretary of State.

J. R. D. Hamilton
Dear Sir

INDEX BUREAU
MAY 24 1904
FILED

Subject:

Western Union Code received October 19, and acknowledged October 20, 1902 and has been kept in Legation ever since for benefit of anyone desiring to use it.

(Reply to Department Instruction No. 765 of February 25, 1904.)

No. 1542.

April 9, 1904.

Mr. Conger to the

Secretary of State.

Subject:

Western Union Code received October 19, 1903,
acknowledged October 20, 1903 and has been
kept in Legation ever since for benefit of
anyone desiring to use it.

(Reply to Department Instruction No. 768
of February 25, 1904.)

No. 1562

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 5th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In reply to Department Instruction No. 765 of February 25th, regarding the copy of the Western Union Code supplied to this Legation, I have the honor to report that Department Circular of September 8th, 1902 and the Code referred to were received on October 19th, 1902, and acknowledged in my unnumbered despatch of the 20th; and that since that time this Code has been kept in the Office of the Legation for the benefit of anyone desiring to use it.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1642

April 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In reply to Department Instruction No. 765 of February 25th, regarding the copy of the Western Union Code supplied to this Legation, I have the honor to report that Department Circular of September 8th, 1902 and the Code referred to were received on October 19th, 1902, and acknowledged in my unnumbered despatch of the 20th; and that since that time this Code has been kept in the Office of the Legation for the benefit of anyone desiring to use it.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY.
MAY 19 1904

No. 1563.

April 5, 1904.

RECEIVED
MAY 20 1904
DEPARTMENT OF STATE

INDEXED
MAY 18 1904
DEPT. OF STATE

Mr. Conger

To the Secretary of State.

Bu. of Accts.
Ack and constat
fills requested
June 15/04

Subject:

New Legation buildings. Necessity for additional appropriation. Enclosing copies of communications from the Architect showing progress of the work &c.

INDEX BUREAU
FILED

No. 1613.

April 5, 1904.

Mr. Conger

To the Secretary of State.

Subject:

New Legation buildings. Necessity for additional appropriation. Enclosing copies of communications from the Architect showing progress of the work &c.

ss

No. 1563

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 5th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D . C.

Sir:

I have the honor to transmit herewith further account of expenditures in connection with the new Legation buildings. I also enclose copies of two communications from the Architect, Mr. Nealy, showing the progress of the work to date, and the requirements for the future.

As Mr. Nealy says, the bids sent by Mr. Roberts from San Francisco were rejected, and new bids requested by telegraph for the materials necessary to complete the exterior and enclose the five structures as intended.

More money is absolutely essential, as Mr. Nealy explains, and we should know at once if we are to have it, so that contracts for heating apparatus and plumbing may be let, in order that the necessary piping may be done before the plastering begins, as it will be both expensive and inconvenient to put the pipes in afterwards. I therefore ask that Congress may be urged to make the necessary appropriation at the earliest possible date, and that I be telegraphed just as soon as it is done.

Presuming that the appropriation will be made, but without incurring any obligation on account thereof, I am, in order to save valuable time, going to advertise for bids contingent upon the appropriation being made, so that in case it is they can be accepted by telegraph.

I enclose copies of telegrams exchanged with Mr. Roberts, as well as copies of the several contracts entered

into

No. 1545

April 8th, 1904.

To the Honorable

John HAY,

Secretary of State,

Washington, D. C.

SIR:

I have the honor to transmit herewith further account of expenditures in connection with the new Immigration buildings. I also enclose copies of two communications from the Architect, Mr. Healy, showing the progress of the work to date, and the requirements for the future.

As Mr. Healy says, the bids sent by Mr. Roberts from San Francisco were rejected, and new bids requested by telegraph for the materials necessary to complete the exterior and enclose the five structures as intended.

More money is absolutely essential, as Mr. Healy explains, and we should know at once if we are to have it, so that contracts for heating apparatus and plumbing may be let, in order that the necessary piping may be done before the plastering begins, as it will be both expensive and inconvenient to put the pipes in afterwards. I therefore ask that Congress may be urged to make the necessary appropriation at the earliest possible date, and that I be telegraphed just as soon as it is done.

Presuming that the appropriation will be made, but without incurring any obligation on account thereof, I am, in order to save valuable time, going to advertise for bids contingent upon the appropriation being made, so that in case it is they can be accepted by telegraph.

I enclose copies of telegrams exchanged with Mr. Roberts, as well as copies of the several contracts entered

into

into here.

Under all the circumstances, suitable buildings could not be built for less than the amount asked for. It will be economy for the Government to provide the funds at once, and we will lose great prestige with the Chinese, and it will be a shame if these buildings are not completed as designed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Building Account as above.
2. Mr. Nealy to Mr. Conger, March 30th, 1904.
3. Mr. Nealy to Mr. Conger, March 31st, 1904.
4. Sand Contract with Gow Lin.
5. Lime Contract with G. S. Saito.
6. Brick Contract with Yang huan Chen.
7. Telegrams exchanged with Mr. Roberts.

into here.

Under all the circumstances, suitable buildings could not be built for less than the amount asked for. It will be economy for the Government to provide the funds at once, and we will lose great prestige with the Chinese, and it will be a shame if these buildings are not completed as designed.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Building Account as above.
2. Mr. Neely to Mr. Conger, March 30th, 1904.
3. Mr. Neely to Mr. Conger, March 31st, 1904.
4. Send Contract with Gee Lin.
5. Time Contract with C. S. Bailey.
6. Brick Contract with Yang Hsao Chan.
7. Telegrams exchanged with Mr. Roberts.

Enclosure No. 2. In Despatch No. 1563

Peking, March 30th, 1904.

Hon. E. H. Conger,

U. S. Minister.

Sir:

In continuance of my report of November 18th, 1903, I submit the following details of building operations in connection with the construction of the new American Legation buildings.

The shed built in November for use of stonecutters proving inadequate to accommodate a sufficient force, another of the same dimensions was built, the rough flooring used as in the first. The cost of this shed was $48.75 (Mex.).

Between November 1st and February 6th, when work was suspended during the Chinese New Year holidays, the carpenter work, completing all framing to roof, ready to place, and cutting brackets for cornice, cost $613.25 (Mex). All work stopped on the evening of February 6th, and was not resumed again until March 5th, it being utterly impossible to get the Chinese to work during their 26 days of New Year festivities.

Work commenced March 5th with 119 stonecutters, the number increasing daily until the 18th, when 400 were at work, and this number, approximately, has been kept upon the stone work to date, and will be until its completion. Meanwhile preparations have been under way for resuming brick work laying, and the balance of brick required has been delivered under the contracts with Chang Wen-cheng for 18,000 Ting-ni at $17.60 (Mex), and with Teng Te-hsuan for 290,000 Tao-kai-tio at $12.95 (Mex.). Under these contracts no percentage of broken brick was allowed. Total cost of brick under the two contracts, $4,072.30 (Mex.). These were the lowest bids among nine competitive bids received, and opened, as are all competitive bids, in the

Enclosure No. 2, In Despatch No. 1513

Peking, March 30th, 1904.

Hon. E. H. Conger,

U. S. Minister.

Sir:

In continuance of my report of November 18th, 1903, I submit the following details of building operations in connection with the construction of the new American Legation buildings.

The shed built in November for use of stonecutters proving inadequate to accommodate a sufficient force, another of the same dimensions was built, the rough flooring used as in the first. The cost of this shed was $48.75 (Mex.).

Between November 1st and February 6th, when work was suspended during the Chinese New Year holidays, the carpenter work, completing all framing to roof, ready to place, and cutting brackets for cornice, cost $613.25 (Mex). All work stopped on the evening of February 6th, and was not resumed again until March 5th, it being utterly impossible to get the Chinese to work during their 28 days of New Year festivities.

Work commenced March 5th with 119 stonecutters, the number increasing daily until the 18th, when 400 were at work, and this number, approximately, has been kept upon the stone work to date, and will be until its completion. Meanwhile preparations have been under way for resuming brick work laying, and the balance of brick required has been delivered under the contracts with Chang Wen-chang for 18,000 Ting-mi at $17.60 (Mex), and with Tang Te-hsuan for 290,000 Tao-kai-tio at $12.95 (Mex.). Under these contracts no percentage of broken brick was allowed. Total cost of brick under the two contracts, $4,072.30 (Mex.). These were the lowest bids among nine competitive bids received, and opened, as are all competitive bids, in the

presence of Mr. Conger, Mr. Williams and Mr. Nealy.

The lowest bid received from America for all interior finish, including heating plants, plumbing, wood work, glass, etc., was that of the William H. Warren Manufacturing Company, of Chicago. Their bid of $68.00 was rejected, by wire, as excessive, and amended bids asked, omitting everything "except window and door frames, sash and doors, galvanized iron work, finished flooring, roofing materials, hardware, and piping for heating and plumbing."

An amended bid was received by wire March 8th, of $44,900. This was also rejected as excessive, and readvertising ordered. This resulted in a bid from the Warren Manufacturing Company of $18,500(gold), for all glass, galvanized iron-work, roofing materials, window frames and sash, exterior door frames and exterior doors, to be delivered at Tientsin September 15th.

These items are considered absolutely necessary to have from America, and in order to completely cover and enclose the five buildings. The bid was accepted by wire and also confirmed by letter March 26th.

Local contracts were also let, March 25th, for 5,290 piculs of lime at a total cost of $1,983.75 (Mex), G. S. Saito, Contractor; and on March 27th, for 1,665 cubic yards of sand at a total cost of $2,697.90 (Mex.),Kao-lin Contractor. These contracts also were let to the lowest bidders.

This places everything under contract to cover in and complete the superstructures of the five main buildings, servants' quarters and chair-house.

But it has been found necessary, in view of the heavy bids on finishing materials, caused by the rise in prices at home, excessive freightage charges, etc., , to abandon the scheme of heating the buildings by a hot water system, wiring for electric light, and installing modern plumbing

presence of Mr. Conger, Mr. Williams and Mr. Neely.

The lowest bid received from America for all interior finish, including heating plants, plumbing, wood work, glass, etc., was that of the William H. Warren Manufacturing Company, of Chicago. Their bid of $68,000 was rejected, by wire, as excessive, and amended bids asked, omitting everything "except window and door frames, sash and doors, galvanized iron work, finished flooring, roofing materials, hardware, and piping for heating and plumbing."

An amended bid was received by wire March 8th, of $44,900. This was also rejected as excessive, and readvertising ordered. This resulted in a bid from the Warren Manufacturing Company of $18,500(gold), for all glass, galvanized iron-work, roofing materials, window frames and sash, exterior door frames and exterior doors, to be delivered at Tientsin September 15th.

These items are considered absolutely necessary to have from America, and in order to completely cover and enclose the five buildings. The bid was accepted by wire and also confirmed by letter March 20th.

Local contracts were also let, March 25th, for 3,200 piculs of lime at a total cost of $1,282.75 (Mex), C. S. Saito, Contractor; and on March 27th, for 1,685 cubic yards of sand at a total cost of $2,897.90 (Mex.), Kao-lin Contractor. These contracts also were let to the lowest bidders.

This places everything under contract to cover in and complete the superstructures of the five main buildings, servants' quarters and chair-house.

But it has been found necessary, in view of the heavy bids on finishing materials, caused by the rise in prices at home, excessive freightage charges, etc., , to abandon the scheme of heating the buildings by a hot water system, wiring for electric light, and installing modern plumbing

and and sewerage, unless an additional appropriation is obtained..

When mantels, grates, hardware, finished flooring, stairs, interior trim and skirting, cupboards, and interior doors are contracted for in America, as they must be, there will be just sufficient money left of the appropriation to complete the buildings in the plainest manner, with fire-place heat, and with neither plumbing, sewerage, or gate-house, and with nothing left for approaches.

Following is a summary of contracts to date, and estimate of future expenses:

Excavation, concrete, first supply of brick, wall, wells, etc., ... $7,708.79,
Lumber, ... 8,459.80,
Steel, ... 3,014.77
$19,183.36 Gold.

Local Contracts to date.

Mortar, ...$4,647.75,
Brick, ... 4,072.30,
Bricklaying, ... 7,640.00,
Stone, ...11,871.00,
Stonecutting,.....13,400.00,
Carpentry, ... 1,061.00,
Scaffolding, ... 1,600.00,
Total, Mexican, 44,292.49 = $22,146.24 Gold.

American Contracts.

Glass,
Tin roofing,
Galvanized Iron,
Exterior doors and door frames
Window Frames and Sash,
} Total, 18,500.00 Gold.

Future American Contracts.

Mantels & Grates(Estimated) $1,800,
Hardware, ... 1,200,

and sewerage, unless an additional appropriation is obtained.

When mantels, grates, hardware, finished flooring, stairs, interior trim and skirting, cupboards, and interior doors are contracted for in America, as they must be, there will be just sufficient money left of the appropriation to complete the buildings in the plainest manner, with fireplace heat, and with neither plumbing, sewerage, or gatehouses, and with nothing left for approaches.

Following is a summary of contracts to date, and estimate of future expenses:

Excavation, concrete, first supply of brick, wall, walls, etc., ... $7,708.75,

Lumber, ... 6,486.80,

Steel, ... 3,014.77

$18,182.32 Gold.

Local Contracts to date.

Mortar, ... $4,647.75,

Brick, ... 4,072.50,

Bricklaying, ... 7,640.00,

Stone, ... 11,871.00,

Stonecutting, ... 13,400.00,

Carpentry, ... 1,061.00,

Scaffolding, ... 1,600.00,

Total, Mexican, 44,203.49 = $22,146.84 Gold.

American Contracts.

Glass,
Tin roofing,
Galvanized Iron,
Exterior doors and door frames
Window Frames and Sash,
} Total, 18,600.00 Gold.

Future American Contracts.

Mantels & Grates (Estimated) $1,800,

Hardware, ... 1,200,

Future American Contracts, Continued.

Forward, ..	$3,000,		
Finished floors, ...	1,300,		
Stairs, ...	1,800,		
Interior Finish, ...	2,500,		
Cupboards & Closets, ...	1,000,		
Interior doors & Frames,	3,000,	Total,	12,600.00.

Future Local Contracts and Expenses.

Roofing, (Labor in placing)	800,	
Carpentry, " ..... " ...	2,000,	
Galvanized Iron, "	700,	
Steel, "	180,	
Painting, ...	1,800,	
Column finish, ...	200,	
Concrete Floors in Cellars, ...	800,	
Lathing & Plastering,	7,500,	
Day Labor, ...	1,000,	
Total, Mexican,	$14,980 =	7,490.00 Gold.

Salary and expenses of Architect, 2 years, Interpreter, and miscellaneous, (estimated), ... 12,000.00 Gold.

Grand total, (Gold) $ 91,919.60.

I have the honor to be, Sir,

Your obedient servant,

(Signed) S. H. Nealy

Architect-in-Charge.

Future American Contracts, Continued.

Forward, ..$3,000,

Finished floors, ... 1,200,

Stairs, ... 1,800,

Interior Finish, ... 2,500,

Cupboards & closets, ... 1,000,

Interior doors & frames, 3,000, Total, 12,600.00.

Future local Contracts and Expenses.

Roofing,(labor in placing) 800,

Carpentry, ... 2,000,
Galvanized Iron, " 700,
Steel, " 150,
Painting, ... 1,800,
Column Finish, ... 200,
Concrete floors in
Cellars, ... 800,
Lathing & Plastering, 7,500,
Day Labor, ... 1,000,
Total, Mexican, $16,950 = 7,450.00 Gold.

Salary and expenses of Architect,
2 years, Interpreter, and miscellaneous, (estimated), ... 12,000.00 Gold.
Grand total, (Gold) $ 91,919.80.

I have the honor to be, Sir,

Your obedient servant,

(Signed) S. H. Healy

Architect-in-Charge.

Enclosure No. 3 In Despatch No 1563

Peking, March 31st, 1904.

Hon. E. H. Conger,

U. S. Minister.

Sir:

I enclose herewith a report in continuance of my two former statements of building operations in connection with the erection of the five buildings for use of the American Legation in this City, and an estimate of future expenses.

You will readily see that it will not be possible to complete these buildings in the manner that they would be done at home. The superstructures will be good, and it seems a great pity they cannot have consistent interior finish. But the amount available is not sufficient for anything but the plainest interior work, and all modern appliances in the way of heating, lighting, and plumbing, and many other items for the convenience and comfort of the occupants of the houses must be omitted.

As all framing of lumber is done, and all stone-work will soon be ready to place, it will not be long before the stage of plastering will be reached.

And in this connection I wish to call your attention to the fact that if the hot water heating plant, electric wiring, and plumbing, for which more money was asked, are to go in, they should all be placed before the finished flooring and plastering have been done. If not, and they are afterwards provided for, great expense and delay will result from the tearing up of floors, the tearing off of plastering, and opening up of pipe chases. Of course I cannot assume that more money will be appropriated for this purpose, and my duty is to go ahead and finish according to the means available. This means the finishing of five good buildings in a manner entirely out of keeping with the exteriors. These are acknowledged to be the best in

China,

Enclosure No. 3 In Despatch No. 1265

Peking, March 31st, 1904.

Hon. E. H. Conger,

U. S. Minister.

Sir:

I enclose herewith a report in continuance of my two former statements of building operations in connection with the erection of the five buildings for use of the American Legation in this City, and an estimate of future expenses.

You will readily see that it will not be possible to complete these buildings in the manner that they would be done at home. The superstructures will be good, and it seems a great pity they cannot have consistent interior finish. But the amount available is not sufficient for anything but the plainest interior work, and all modern appliances in the way of heating, lighting, and plumbing, and many other items for the convenience and comfort of the occupants of the houses must be omitted.

As all framing of lumber is done, and all stone-work will soon be ready to place, it will not be long before the stage of plastering will be reached.

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China, and it would seem that the Government should permit me to carry them out to a consistent completion, and this at as early a date as possible so as to avoid unnecessary expense.

I have the honor to be, Sir,

Your obedient servant,

(Signed) S. H. Nealy.

Architect-in-Charge.

China, and it would seem that the Government should permit me to carry them out to a consistent completion, and this at as early a date as possible so as to avoid unnecessary expense.

I am, I have the honor to be, Sir,

Your obedient servant,

(Signed) S. H. Healy.

Architect-in-Charge.

Copy to Amb June 19/05

Enclosure No.4 In Despatch No.1563.

AGREEMENT entered into this 26" day of March, 1904, between E. H. Conger, representing the Government of the United States and Gow Lin(Chinese) contractor.

Gow Lin agrees to furnish 1665 cubic yards of sand, delivered, where directed by the Architect, in the compound of the new American Legation buildings.

Sand to be of quality fully equal to sample submitted by contractor to Architect, and as free from dirt, gravel or other foreign substance as sample. Delivery free of cost to U. S. Government.

The sand is to be delivered in installments of 416 1/4 cubic yards, the last delivery of each installment to be made on the following dates: March 30, April 10th, May 18th, and June 30th. Not over eight days shall be taken by contractor for the delivery of each installment.

In payment for sand the Government of the United States agrees to pay Gow Lin at the rate of One Dollar and 60/100 per cubic yard (Mexican), payments to be made upon the completion of each delivery, on the certificate of the Architect that the full amount has been delivered.

(Signed) E. H. Conger,

Enclosure No. 4 In Despatch No. 1563.

AGREEMENT entered into this 26" day of March, 1904, between E. H. Conger, representing the Government of the United States and Gow Lin (Chinese) contractor.

Gow Lin agrees to furnish 1665 cubic yards of sand, delivered, where directed by the Architect, in the compound of the new American Legation buildings.

Sand to be of quality fully equal to sample submitted by contractor to Architect, and as free from dirt, gravel or other foreign substance as sample. Delivery free of cost to U. S. Government.

The sand is to be delivered in installments of 416 1/4 cubic yards, the last delivery of each installment to be made on the following dates: March 30, April 10th, May 18th, and June 30th. Not over eight days shall be taken by contractor for the delivery of each installment.

In payment for sand the Government of the United States agrees to pay Gow Lin at the rate of One Dollar and 60/100 per cubic yard (Mexican), payments to be made upon the completion of each delivery, on the certificate of the Architect that the full amount has been delivered.

(Signed) E. H. Conger,

Copy to
and June 1905

Enclosure No. 5 In Despatch No. 1563.

AGREEMENT made this 26" day of March 1904, between E. H. Conger, representing the Government of the United States and G. S. Saito, contractor.

Contractor agrees to furnish for use in the construction of the American Legation buildings Five thousand two hundred and ninety piculs of lime, delivered where directed by Architect in the compound of the new Legation buildings.

Lime is to be fresh fat lime of best quality, free from unburned stone or foreign substances. It is to be lump lime without discoloration affecting its quality. Each picul is to be of full 133 1/3 English pounds weight, and shall be subject to weighing by either foreign or Chinese scales as determined by Architect.

Delivery must be made as follows: 500 piculs within 3 days of signing of contract, 822 1/2 piculs by April 7th; 1322 1/2 piculs by April 15; 1322 1/2 piculs by May 15, and 1322 1/2 piculs by June 15.

Sufficient security must be furnished by contractor to insure faithful performance of contract and prompt delivery.

In payment for lime so furnished it is agreed upon the part of the Government of the United States that G. S. Saito shall receive at the rate of $3.00 (Mex) per 10 piculs for the March and April deliveries; #4.40 (Mex) for 10 piculs May delivery, and $4.60 (Mex) per 10 10 piculs for the June delivery.

Payments to be made upon completion of each delivery of 1322 1/2 piculs. = (4 deliveries)

(Signed) E. H. Conger,

G. S. Saito,
Contractor.

Peking, China.

I hereby guarantee that the contractor, G S. Saito will in due course of time fulfill the contracts as mentioned above.
(Signed) H. Samamura.

Enclosure No. 4 In Despatch No. 153.

AGREEMENT made this 26" day of March 1904, between E. H. Conger, representing the Government of the United States and G. S. Saito, contractor.

Contractor agrees to furnish for use in the construction of the American Legation buildings Five thousand two hundred and ninety pieces of lime, delivered where directed by Architect in the compound of the new Legation buildings.

Lime is to be fresh cut lime of best quality, free from unburned stone or foreign substances. It is to be lump lime without discoloration affecting its quality. Each piece is to be of full 133 1/3 English pounds weight, and shall be subject to weighing by either foreign or Chinese scales as determined by Architect.

Delivery must be made as follows: 500 pieces within 3 days of signing of contract, 822 1/2 pieces by April 7th; 1322 1/2 pieces by April 15; 1322 1/2 pieces by May 15, and 1322 1/2 pieces by June 15.

Sufficient security must be furnished by contractor to insure faithful performance of contract and prompt delivery.

In payment for lime so furnished it is agreed upon the part of the Government of the United States that G. S. Saito shall receive at the rate of $3.00 (Mex) per 10 pieces for the March and April deliveries; $4.40 (Mex) for 10 pieces May delivery, and $4.60 (Mex) per 10 10 pieces for the June delivery.

Payments to be made upon completion of each delivery of 1322 1/2 pieces.

(Signed) E. H. Conger,

G. S. Saito,
Contractor.

Peking, China.

I hereby guarantee that the contractor, G. S. Saito will in due course of time fulfill the contracts as mentioned above.
(Signed) H. Samamura.

Copy to Conger 1563 / June 19/05

Enclosure No. 6 In Despatch No. 1653

AGREEMENT entered into this 5th day of January, 1904, between E. H. Conger, representing the Government of the United States and Yang huan Chen, Contractor,

First, that Yang huan Chen shall sell to the Government of the United States, for use in the construction of the American Legation buildings, Peking, Two Hundred and Ninety Thousand (290,000)Tao Kai-tiao bricks, equal in all respects to the sample submitted by him and bearing his signature.

Second, that no broken or defaced brick are to be delivered, but all brick shall be whole and perfect, as per sample.

Fourth, that contractor shall furnish sufficient and satisfactory security for the faithful performance of his part of this contract.

Fifth, that the Government of the United States shall pay Yang huan Chung, Contractor, for such bricks and their delivery at the rate of Twelve and 95/100 Mexican dollars per thousand for 290,000, payments to be made as hereinafter agreed upon.

Sixth, Payment to be made as follows:

Upon the delivery of fifty thousand bricks payment will be made for twenty-five thousand, and for every twenty-five thousand thereafter payment will be made when that number is delivered, final payment to include all money due.

(Signed) E. H. Conger,
U. S. Minister,

Security,

Enclosure No. 4 In Despatch No. 1653

AGREEMENT entered into this 5th day of January, 1904, between E. H. Conger, representing the Government of the United States and Yang huan Chen, Contractor,

First, that Yang huan Chen shall sell to the Government of the United States, for use in the construction of the American Legation buildings, Peking, Two Hundred and Ninety Thousand (290,000)Tao Kai-tiao bricks, equal in all respects to the sample submitted by him and bearing his signature.

Second, that no broken or defaced brick are to be delivered, but all brick shall be whole and perfect, as per sample.

Fourth, that contractor shall furnish sufficient and satisfactory security for the faithful performance of his part of this contract.

Fifth, that the Government of the United States shall pay Yang huan Chen, Contractor, for such bricks and their delivery at the rate of Twelve and 95/100 Mexican dollars per thousand for 290,000, payments to be made as hereinafter agreed upon.

Sixth, Payment to be made as follows:

Upon the delivery of fifty thousand bricks payment will be made for twenty-five thousand, and for every twenty-five thousand thereafter payment will be made when that number is delivered, final payment to include all money due.

(Signed) E. H. Conger,
U. S. Minister.

Peking, China, Security,

Copy to Amb
June 19/04
1563

Enclosure No. 1 In Despatch No. 1653

Telegraphic communication with J. W. Roberts, in re. new Legation Buildings.

Peking, March 9th, 1904.

Roberts, Public Building,

Sanfrancisco.

Bids rejected. Readvertise immediately at least three cities for all glass, galvanized iron work, roofing materials, window frames and sash, exterior door frames, and exterior doors, delivered Tientsin September fifteenth. Cable lowest bid.

(Signed) Conger.

San Francisco, March 25th, 1904.

Conger, Peking.

Warren lowest bid eighteen thousand five hundred dollars.

(Signed) Roberts.

Peking, March 26th, 1904.

Roberts, Public Building,

San Francisco.

Warren's bid accepted.

(Signed) Conger.

Enclosure No.) In Despatch No. 653

Telegraphic communication with J. W. Roberts, in re. new Legation Buildings.

Peking, March 8th, 1904.

Roberts, Public Building,

San Francisco.

Bids rejected. Readvertise immediately at least three cities for all glass, galvanized iron work, roofing materials, window frames and sash, exterior door frames, and exterior doors, delivered Tientsin September fifteenth. Cable lowest bid.

(Signed) Conger.

San Francisco, March 25th, 1904.

Conger, Peking.

Warren lowest bid eighteen thousand five hundred dollars.

(Signed) Roberts.

Peking, March 26th, 1904.

Roberts, Public Building,

San Francisco.

Warren's bid accepted.

(Signed) Conger.

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
APR 8 1904
BUREAU.

DEP'T OF STATE
APR
7
1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU

From Amoy, cable, 7th. Confirm both.

PEKING,

April 7, 1904,

3:40 a. m.

4/9/04

FOR RELS. 1904.

Secretary of State,

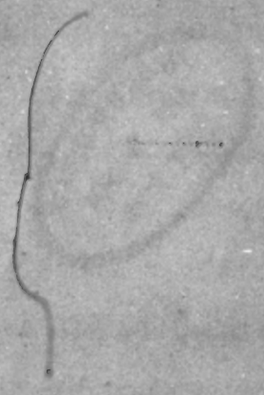
Washington.

7th Russian authorities New Chwang refuse to release Japanese servants of Washburne and Little who are blameless. I advise presenting question St. Petersburg.

C O N G E R.

INDEX BUREAU
APR 13 1904
FILED

Deciphered by the Chief Clerk's Office, April 8, 1904. 9:15



TELEGRAM RECEIVED IN CIPHER

DIPLOMATIC
APR 7 1904
BUREAU

DIPLOMATIC BUREAU

DEP'T OF STATE
APR
7
1904
2ND ASST SECRETARY

To Navy.
To Commerce & Labor
Give to Press.
Confirm - aaa

From PEKING,

April 7, 1904,

3:45 a. m.

To Navy Labor
" Com. apl. 7

Secretary of State,

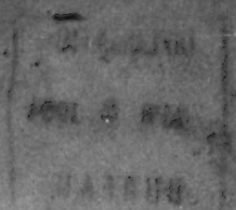
Washington.

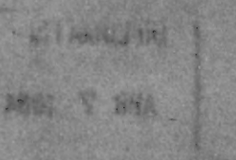
7th Russian authorities New Chwang notify Miller that mines have been placed in river, but neutral ships will be conducted in and out safely.

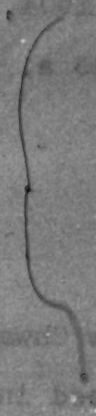
CONGER.

INDEX BUREAU
APR 25 1904
FILED

Deciphered by the Chief Clerk's Office, April 7, 1904. 9:15







LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
MAY 23 1904
BUREAU

No. 1568.

April 7, 1904.

INDEX BUREAU
REC'D.
MAY
18
1904
DEPT. OF STATE

Rec'd May 24

Mr. Conger

To the Secretary of State.

INDEX BUREAU
MAY 27 1904
FILED

Subject:

Arrest and release of Messrs. Washburn and Little at Newchwang. Confirming telegraphic correspondence in regard to.

No. 1514.

April 7, 1904.

Mr. Cooper

To the Secretary of State.

Subject:

Arrest and release of Rogers, Washburn and Little at Mukden. Confirming telegraphic correspondence in regard to.

No. 1564.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm telegraphic correspondence concerning the arrest and release of Messrs. Washburn and Little at Newchwang, as follows:

Washington, April 4th, 1904.

Conger, Peking.

Washburn and Little Americans correspondents Chicago Daily News have been arrested by Russian authorities at entrance Newchwang harbor and their chartered British despatch boat Fuhwan seized on suspicion of their being Japanese spies. Suspicion unfounded. Use all proper efforts for their release and protection.

(Signed) Hay.

Peking, April 5th, 1904.

Secstate, Washington.

Fifth. American correspondents Newchwang were released yesterday, their Japanese servants held as prisoners of war.

(Signed) Conger.

Peking, April 7th, 1904.

Secstate, Washington.

Seventh. Russian Authorities Newchwang refuse to release Japanese servants of Washburn and Little, who are blameless. I advise presenting question St. Petersburg.

(Signed) Conger.

I had, before receiving your telegram, instructed Mr. Miller to take up the matter, which he promptly and successfully did, securing the release of the correspondents and their steamer, but their Japanese servants were kept as prisoners of war. Mr. Miller now writes that he is doing all he can for their release, but the local Authorities refuse to let them go.

Since their arrest is entirely the fault of citizens of the United States, and it seems nothing can be done for them at Newchwang, I apprehend an effort might be made

at

No. 1514.

April 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm telegraphic correspondence concerning the arrest and release of Messrs. Washburn and Little at Newchwang; as follows:

Washington, April 4th, 1904.

Conger, Peking.

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(Signed) Hay.

Peking, April 5th, 1904.

Secretary, Washington.

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(Signed) Conger.

Peking, April 7th, 1904.

Secretary, Washington.

Seventh. Russian Authorities Newchwang refuse to release Japanese servants of Washburn and Little who are Americans. I advise pressing question St. Petersburg.

(Signed) Conger.

I had, before receiving your telegram, instructed Mr. Miller to take up the matter, which he promptly and success fully did, securing the release of the correspondents and their steamer, but their Japanese servants were kept as prisoners of war. Mr. Miller now writes that he is doing all he can for their release, but the local authorities refuse to let them go.

Since their arrest is entirely the fault of officers of the United States, and it seems nothing can be done for them at Newchwang, I apprehend an effort might be made

at

at St. Petersburg.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

at St. Petersburg.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY,
MAY 19 1904

No. 1565.

DIPLOMATIC
MAY 20 1904
BUREAU

April 7, 1904.

INDEX BUREAU
RECEIVED
MAY
18
1904
DEPT. OF STATE

Mr. Conger

To the Secretary of State.

Subject:

Mines placed in River at Newchwang. Confirming telegram sent April 7th 1904. Enclosing copy of Note of Civil Administrator.

INDEX BUREAU
MAY 20 1904
FILED

No. 1585.

April 7, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Mines placed in River at Newchwang. Confirming telegram sent April 7th 1904. Enclosing copy of Note of civil Administrator.

No. 1565.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of to-day as follows:

Secstate, Washington.

Seventh. Russian Authorities Newchwang notify Miller that mines have been placed in river but neutral ships will be conducted in and out safely.

(Signed) Conger.

I also transmit herewith copy and translation of note from the Civil Administrator at Newchwang to Mr. Miller upon which it was based.

A copy of the sub-order No. 25, of March 29th, mentioned in Mr. Grosse's note, was an enclosure in my No. 1557 of April 1st.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures;

Copy and translation as above.

April 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of to-day as follows:

Secretary, Washington.

Seventh. Russian Authorities Newchwang notify Miller that mines have been placed in river but neutral ships will be conducted in and out safely.

(Signed) Conger.

I also transmit herewith copy and translation of note from the Civil Administrator at Newchwang to Mr. Miller upon which it was based.

A copy of the sub-enclosure No. 2, of March 29th, mentioned in Mr. Krosse's note, was an enclosure in my No. 1287 of April 1st.

I have the honor to be, Sir,

Your obedient servant,

Enclosure;

Copy and translation as above.

Enclosure No.- in Despatch No 1565

The Civil Administrator to Consul Miller.

Monsieur et Cher Collègue,

Pour éxecuter l'ordre de S. E. le Lieutenant de Sa Majesté l'Empereur, J'ai l'honneur de vous informer que des mines ont été posées à l'entrée du port de Yinkou; je crois devoir ajouter que cette mesure ne constitue pas de danger pour les bateaux navigant sous pavillon neutre, qui pourront continuer à entrer et sortir librement, en observant le réglement contenu dans l'ordre du jour du 16/29 Mars c. Sub. No. 25.

En vous priant de bien vouloir communiquer ce qui précède au Corps Consulaire à Yinkou, je saisis la presente occasion pour Vous renouveler, Monsieur et Cher Collegue, l'assurance de ma consideration la plus distinguée.

(Signed) V. Grosse.

Enclosure No.- in Despatch No. 152:

The Civil Administrator to Consul Miller.

Monsieur et Cher Collègue,

Pour exécuter l'ordre de S. M. le Lieutenant de Sa Majesté l'Empereur, j'ai l'honneur de vous informer que des mines ont été posées à l'entrée du port de Yinkou; je crois devoir ajouter que cette mesure ne constitue pas de danger pour les bateaux naviguant sous pavillon neutre, qui pourront continuer à entrer et sortir librement, en observant le règlement contenu dans l'ordre du jour du 16\29 Mars c. Sub. No. 25.

En vous priant de bien vouloir communiquer ce qui précède au Corps Consulaire à Yinkou, je saisis la présente occasion pour Vous renouveler, Monsieur et Cher Collègue, l'assurance de ma considération la plus distinguée.

(Signed) V. Grosse.

Enclosure No.— In Despatch No. 1666

Translation.

Sir & dear Colleague:

By order of His Excellency, Lieutenant of His Majesty the Emperor, I have the honor to inform you that mines have been placed at the entrance of the harbor of Yingkow. I think I ought also to add that this measure does not constitute a danger for ships sailing under neutral flags, which will be able to continue to sail in and out freely, if they onserve the rule contained in the order of the day of March 16/29; See sub No. 25.

Begging that you will communicate this to the Consular Body at Yingkow, I seize the occasion to renew, Sir and dear Colleague, the assurance of my highest consideration.

(Signed) V. Grosse.

Enclosure No.— In Despatch No. 1616.

Translation.

Sir & dear Colleague:

By order of His Excellency, Lieutenant of His Majesty the Emperor, I have the honor to inform you that mines have been placed at the entrance of the harbor of Yingkow. I think I ought also to add that this measure does not constitute a danger for ships sailing under neutral flags, which will be able to continue to sail in and out freely, if they observe the rule contained in the order of the day of March 16/29; See sub No. 25.

Begging that you will communicate this to the Consular Body at Yingkow, I seize the occasion to renew, Sir and dear Colleague, the assurance of my highest consideration.

(Signed) V. Grosse.

file

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
APR 8 1904
BUREAU.

From PEKING,
April 8, 1904,
8 a. m.

Secretary of State,
Washington.

8th Cheshire and Davidson are here. Their posts are in the midst of active military operations. Antung in probable early battle area. Their proceeding thither at present would probably greatly annoy Russians who will probably turn them back. They are very anxious to proceed. Warship will be necessary to convey Davidson. Cannot attitude of Russia be quietly ascertained at St. Petersburg before taking risk of their being turned back? Please cable definite instructions.

CONGER.

INDEX BUREAU
APR 13 1904
FILED

Deciphered by the Chief Clerk's Office, April 8, 1904. 10:05

TELEGRAM RECEIVED IN CIPHER.

DIVISION OF
APR 8 1904
BUREAU

Secretary of State,
Washington.

8th Chefoo and Petchow are here. Both ports are in the midst of active military operations. Antung in probable early battle area. Their presence this shipper at present would probably greatly worry Russians who will probably turn them back. They are very anxious to proceed. Wuchig will be required to convey Petchow. Cannot estimate of Russia's quietly ascertained at St. Petersburg before taking risk of their being turned back? Please cable definite instructions.

COUGER.

Entered by the Chief Clerk's Office, April 8, 1904. 10:05

No. 282.

ASSISTANT SECRETARY,
APR. 8 1904

TELEGRAM RECEIVED IN CIPHER

DIPLOMATIC
APR 8 1904
BUREAU.

From PEKIN,

April 8, 1904,

1:05 a. m.

Secretary of State,

Washington.

8th Tell Allison additional appropriation new Legation is indispensable and of vital importance to American prestige and interests.

CONGER.

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APR 13 1904
FILED

Deciphered by the Chief Clerk's Office, April 8, 1904. 10 o'clock.

TELEGRAM RECEIVED IN CIPHER.

APR 8 1904

BUREAU

TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY.

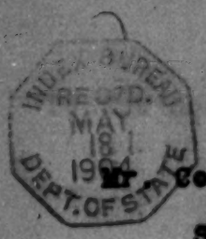
APR 8 1904

BUREAU

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1566.

April 8, 1904.



Mr. Conger to the
Secretary of State.

Subject:

Confirming telegram of April 8, 1904 with reference to appropriation for new Legation.

No. 1586.

April 8, 1904.

Mr. Conger to the

Secretary of State.

Subject:

Confirming telegram of April 8, 1904 with

reference to appropriation for new legation.

No. 1566.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Confirming my self-explanatory telegram of this date as follows,

Secstate, Washington.

Tell Allison additional appropriation new Legation is indispensable and of vital importance to American prestige and interests.

(Signed) Conger,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1554.

April 8th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Confirming my pair-explanatory telegram of this date
as follows,

Socrates, Washington.

Tell Allison additional appropriation now legation
is indispensable and of vital importance to American pres-
tige and interests.

(Signed) Conger,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1564.

April 8, 1904.

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DEPT. OF STATE

Mr. Conger

To the Secretary of State.

INDEX BUREAU
MAY 27 1904
FILED

Subject:

Confirming telegraphic correspondence with regard to Consul General Cheshire and Consul Davidson, asking instruction as to sending them to their posts under existing conditions.

No. 1517.

April 8, 1904.

Mr. Cooper

To the Secretary of State.

Subject:

Confirming telegraphic correspondence with regard to Consul General Dhesbire and Consul Davidson, making inquiries as to sending them to their posts under existing conditions.

No. 1567.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your cipher telegram of the 29th ultimo, and mine of to-day as follows:

Conger, Peking.

Cheshire and Davidson instructed to-day to report to you for temporary assignment in case local conditions too uncertain to proceed to posts.

(Signed) Hay.

Secstate, Washington.

Eighth. Cheshire and Davidson arehere. Their posts are in the midst of active military operations, Antung in probable early battle area. Their proceeding thither at present would probably greatly annoy Russians who will possibly turn them back. They are very anxious to proceed. Warship will be necessary to convey Davidson. Cannot attitude of Russia be quietly ascertained at St. Petersburg before taking risk of their being turned back? Please cable definite instructions.

(Signed) Conger.

Mr. Cheshire and Mr. Davidson arrived here on yesterday. They are both anxious to proceed at once to their posts, but considering the local conditions too uncertain to warrant their proceeding thither, I have directed them to wait here temporarily, until I receive a reply to my above-confirmed telegram.

The Japanese Minister informs me to-day that he has private advices from Tokio that the Japanese Guard is already at Wiju, which, if true, warrants the belief that

Antung

No. 1512.

Antung will very soon be on the firing line, and would, therefore, be rather an embarrassing place for an American Consul.

If Antung is taken by the Japanese, there will then be no objections to Mr. Davidson's establishing himself there at once.

If these Consuls could have reached their posts before the breaking out of the war, Russia would unquestionably not have ordered them out, but one cannot foretell what the Russians would say to Consul General Cheshire should he attempt to proceed from Newchwang to Mukden. From their attitude toward foreigners at Port Arthur and Newchwang, their general treatment of Mr. Miller and other Consular Representatives, and their refusal to grant an exequatur to an American Consul at Dalny, I apprehend they will find some military objection to our sending, at present, a Consul to Mukden. It may be difficult to ascertain in advance what the Russian Officials would do, and it would also be embarrassing to have them turn these men back.

Should you conclude that it is not best for them to proceed at once to their posts, and so telegraph me, I shall probably assign Mr. Davidson temporarily to assist the Consul General at Shanghai, and keep Mr. Cheshire here for such service as we may find necessary to call upon him.

I have the honor to be, Sir,

Your obedient servant,

C. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1568.

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April 9, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Confirming telegram of March 30 received relative to Mr. Clowe.

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MAY 20 1904
FILED

No. 1515.

April 9, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Confirming telegram of March 30 received relative to Mr. Olcve.

No. 1868.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Confirming your cipher telegram of the 30th ultimo, as follows,

Conger, Peking.

Thirtieth. Postpone sending Clowe. Assign him temporary duty elsewhere as most convenient.

(Signed) Hay,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1512.

April 7th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D.C.

Sir:

Confirming your cipher telegram of the 30th ultimo,
as follows,
Cooper, Peking.
Unofficial. Postpone sending Clive. Assign his com-
missary duty elsewhere as most convenient.
(Signed) Hay.
I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY
MAY 19 1904

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WR

DIPLOMATIC
MAY 20 1904
BUREAU

No. 1569.

April 11, 1904.

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MAY
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. Conger to the

Secretary of State.

Subject:

Russian Government can not agree to the proposition of the British Minister to fix by public bids the rate of exchange of Indemnity payments. Enclosing translation of Note of the Russian Minister.

(Referring to Nos 1469 and 1496 of Jan. 2nd and Feb'y 8, 1904, respectively)

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MAY 20 1904
FILED

LEGATION OF THE UNITED STATES OF AMERICA
TEHERAN, PERSIA

No. 1643.

April 13, 1904.

Mr. Conger to the
Secretary of State.

Subject:

Russian Government can not agree to the proposition of the British Minister to fix by public firde the rate of exchange of indemnity payments. Relating translation of Notes of the Russian Minister.

(Referring to Tels 1429 and 1430 of Jan. 2nd and Feb'y 8, 1904, respectively)

No. 1569.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 11th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my Nos. 1469 and 1496, of January 2nd and February 8th, respectively, I have the honor to enclose a translation of a note from the Russian Minister to the Dean of the Diplomatic Corps with information that his Government cannot agree to the proposition of the British Minister to fix by public bids the rate of exchange at which the quarterly payments of indemnity should be made by the Chinese Govemment to the Bankers' Commission at Shanghai.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Translation as above.

Enclosure No. —— Despatch No. 1569

Mr. Lessar to the Dean of the Diplomatic Corps.

LEGATION IMPERIALE DE RUSSIE

EN CHINE.

113.

Pekin, le 24 Mars 1904.

Monsieur le Doyen et CherCollègue:

Je n'ai pas manqué, à la suite de la lettre de Son Excellence M. le Ministre d'Angleterre du 28 Décembre dernier, que Votre Excellence a bien voulu faire circuler parmi les Chefs des Missions, sub. No. 58, demander à mon Gouvernement des instructions au sujet de la proposition de notre collègue d'Angleterre tendant à établir un nouveau mode de fixer le taux de change de l'indémnité chinoise.

Ayant reçu aujourd'hui la réponse de St. Petersburg à ce sujet, j'ai l'honneur de faire savoir à votre Excellence que le Gouvernement Impérial, ne voyant pas de moyen pratique d' obvier aux difficultés indiquées par Sir Ernest Satow, sans causer des préjudices à certaines banques, se voit obligé de se prononcer pour la conservation du système en vigeur, en vertu duquel la part de l'indémnité afférente à la Russie est versée à la Banque Russo-Chinoise. Pour ce qui est de la nécessité de tenir compte des intérêts de la Chine lors de la remise des sommes de l'indémnité, le Représentant du Ministre des Finances Russe à la commission de Shanghai a reçu l'ordre de prendre, dans la mesure du possible, ces intérêts en considération.

Veuillez agréer, Monsieur le Doyen et Cher Collègue, les assurances de ma haute considération.

(signed) P. Lessar.

Son Excellence,
M. le Baron Czikann de Wahlborn,
Ministre d'Austrich-Hongrie,
etc... etc... etc...

Enclosure No. —— Despatch No. 1564

Mr. Lessar to the Dean of the Diplomatic corps.

LEGATION IMPERIALE DE RUSSIE

EN CHINE.

№ 113.

Pekin, le 24 Mars 1904.

Monsieur le Doyen et Cher Collègue:

Je n'ai pas manqué, à la suite de la lettre de Son Excellence M. le Ministre d'Angleterre du 28 Décembre dernier, que Votre Excellence a bien voulu faire circuler parmi les Chefs des Missions, sub. No. 38, demander à mon Gouvernement des instructions au sujet de la proposition de notre collègue d'Angleterre tendant à établir un nouveau mode de fixer le taux de change de l'indemnité chinoise.

Ayant reçu aujourd'hui la réponse de St. Petersburg à ce sujet, j'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement Impérial, ne voyant pas de moyen pratique d'obvier aux difficultés indiquées par Sir Ernest Satow, sans causer des préjudices à certaines banques, se voit obligé de se prononcer pour la conservation du système en vigueur, en vertu duquel la part de l'indemnité afférente à la Russie est versée à la Banque Russo-Chinoise. Pour ce qui est de la cessité de tenir compte des intérêts de la Chine lors de la remise des sommes de l'indemnité, le Représentant du Ministre des Finances Russe à la commission de Shanghai a reçu l'ordre de prendre dans la mesure du possible ces intérêts en considération.

Veuillez agréer, Monsieur le Doyen et Cher collègue, les assurances de ma haute considération.

(signed) P. Lessar.

Son Excellence,
M. le Baron Calixtus de Wahlborn,
Ministre d'Autriche-Hongrie,
etc... etc... etc...

Translation of

Enclosure No.— Despatch No. 1569.

Mr. Le ssar to the Dean of the Diplomatic Corps.

Russian Imperial Legation, China.

113.

Pekin, March 24, 1904.

Mr. Dean and Dear Colleague:

In pursuance of the letter of His Excellency, the Minister of Great Britain, of the 28th of December last, which your Excellency was good enough to have circulated amongst the Chiefs of Missions, sub. No. 58, I have not failed to ask my Government for instructions upon the subject of the proposition of our Colleague of Great Britain tending to establish a new method of fixing the rate of exchange of the Chinese Indemnity.

Having received today the reply from St. petersburg upon this subject, I have the honor to inform Your Excellency that the Imperial Government, not seeing practical means of obviating the difficulties indicated by Sir Ernest Satow without causing loss to certain banks, is obliged to declare itself in favor of the maintenance of the present system, by virtue of which the portion of the indemnity accruing to Russia is turned over to the Russo-Chinese Bank. With respect to the necessity of taking into account the interests of China at the time of the payments of instalments of the indemnity, the representative of the Russian Minister of Finance upon the Bankers Commission of Shanghai has received orders to take, as far as possible, these interests into consideration.

Be pleased to accept etc...., etc...

P. LESSAR.

His Excellency,

Baron Czikann de Wahlborn,

Minister of Austria-Hungary,

etc..... etc ..... etc...

Translation of

Enclosure No.—— Despatch No. 1569

Mr. Le Gear to the Dean of the Diplomatic Corps.

Russian Imperial Legation, China.

113.

Peking, March 24, 1904.

Mr. Dean and Dear Colleague:

In pursuance of the letter of His Excellency, the Minister of Great Britain, of the 28th of December last, which Your Excellency was good enough to have circulated among the Chefs of Missions, sub. No. 83, I have not failed to ask my Government for instructions upon the subject of the proposition of our Colleague of Great Britain tending to establish a new method of fixing the rate of exchange of the Chinese Indemnity.

Having received today the reply from St. Petersburg upon this subject, I have the honor to inform Your Excellency that the Imperial Government, not seeing practical means of obviating the difficulties indicated by Sir Ernest Satow without causing loss to certain banks, is obliged to declare itself in favor of the maintenance of the present system, by virtue of which the portion of the indemnity accruing to Russia is turned over to the Russo-Chinese Bank. With respect to the necessity of taking into account the interests of China at the time of the payments of instalments of the indemnity, the representative of the Russian Minister of Finance upon the Bankers Commission of Shanghai has received orders to take, so far as possible, these interests into consideration.

Be pleased to accept etc..... etc..

P. LESSAR.

His Excellency,

Baron Calixmo de Wahlborn,

Minister of Austria-Hungary,

etc..... etc ..... etc...

ASSISTANT SECRETARY,
APR 12 1904

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
APR 12 1904
BUREAU.

PEKING,
April 12, 1904,
2:05 a. m.

Secretary of State,
Washington.

12th I have temporarily assigned Cheshire to duty here and Davidson at Shanghai.

CONGER.

CONSULAR BUREAU
APR 13 1904
DEPARTMENT OF STATE

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APR 15 1904
FILED

Deciphered by the Chief Clerk's Office,

ASSISTANT SECRETARY.

APR 12 1904

TELEGRAM RECEIVED IN CIPHER.

DEPARTMENT OF STATE,

APR 12 1904

BUREAU

Secretary of State,

Washington.

ISSH I have temporarily assigned Chaplin to duty here and Davison at Shanghai.

CROSBY.

His Excellency,

Baron Calice de Wanborn,

Minister of Austria-Hungary,

etc..... etc ..... etc...

ASSISTANT SECRETARY.
JUN 3 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Secretary of State.
MAY 31 1904

No. 1578.

April 12, 1904

MAY 31 1904 DEPT. OF STATE

DIPLOMATIC
JUN 8 1904
BUREAU.

Mr. Conger to the
Secretary of State.

To Com. & Lab.

Subject:

Forwarding list of names and titles of Chinese Officials authorized to issue Immigration passports for United States, in compliance with circular instruction of January 19, 1904.

INDEX BUREAU
JUN 9 1904
FILED

No. 1570.

April 13, 1904.

Mr. Conger to the

Secretary of State.

Subject:

Forwarding list of names and titles of Chinese officials authorized to issue Transportation passports for United States, in compliance with circular instruction of January 15, 1904.

No. 157D.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Bridle

April 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In compliance with Department Circular of January 19th, 1904, I have the honor to forward herewith a list of the names and titles of the officials authorized by the Government of China to issue to Chinese residents purposing to apply for admission to the United States, the certificates provided by section 6 of the Chinese Immigration Act approved July 5th, 1884.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

List of Chinese Officials as stated.

1510.

April 18th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In compliance with Department Circular of January 19th, 1904, I have the honor to forward herewith a list of the names and titles of the officials authorized by the Government of China to depose to Chinese residents purposing to apply for admission to the United States, the certificates provided by section 6 of the Chinese Immigration Act approved July 5th, 1884.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

List of Chinese Officials as stated.

Encl. in #1570

LIST OF OFFICIALS AUTHORISED TO ISSUE PASSPORT CERTIFICATES.

Tuan-fang, - - (端方) Acting Viceroy of Hu Kuang(HUnan and Hupeh).

Hsiliang, - - (錫良) Acting Viceroy of Sze Ch'uen.

Ts'en Chun-hsüan, (岑春煊) " " " Liang Kuang, (Kuangtung and Kuanghsi.)

Ch'ungshan, - - (崇善) Tartar General of Fu-chou and Customs Supt. of Fu-k'ien.

Ch'eng-hsün, - (誠勳) Governor of Anhui.

Chao Erh-hsün, - (趙爾巽) " " Hunan.

Chou Fu - - (周馥) " " Shantung.

Hsia Shih - - (夏峙) " " Kiangsi.

T'ang Shao-i, - (唐紹儀) Customs Taot'ai of Tientsin.

T'ung Te-chang, - (童德璋) Taot'ai of the Hui-Ning-Ch'ih-T'ai-Kwang circuit.

Ts'ui Yung-an, - (崔永安) Taot'ai of the Hang-Chia-Hu Circuit.

Hui-sen, - - (惠森) Acting Taot'ai ofthe Ning-Shao-T'ai circuit.

T'ung Chao-jung, - (童兆蓉) Taot'ai of the Wen-Ch'u circuit

Han Ch'ing-yün, - (韓慶雲) Taot'ai of the Yue-Ch'ang-Li circuit.

Hê Yen-shêng, - (何彦昇) Taot'ai of the Teng-Lai-Ch'ing circuit.

Yuan Shu-hsün, - (袁樹勳) Taot'ai of the Su-Sung-T'ai circuit.

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D.R. and file.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

ASSISTANT SECRETARY.
JUN 3 1904

DIPLOMATIC
JUN 3 1904
BUREAU.

No. 1571.

April 12, 1904.
Secretary of State.
MAY 31 1904

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MAY 31 1904
DEPT. OF STATE

Mr. Conger

To the Secretary of State

acknd. June 6 1904

Subject:

Consul General Cheshire assigned temporarily to duty in Legation and Consul Davidson to Consulate General at Shanghai.

(Telegram received dated April 8, and telegram sent April 12, 1904 confirmed.)

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JUN 9 1904
FILED

No. 151.

April 12, 1904.

Mr. Conger

To the Secretary of State

Subject:

Consul General Cheshire assigned temporarily to duty in Legation and Consul Davidson to Consulate General at Shanghai.

(Telegram received dated April 8, and telegram sent April 12, 1904 confirmed.)

No. 1571.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your confidential cipher telegram of the 8th, and mine of to-day, as follows:

Conger, Peking.

Confidential. Russian Authorities will not permit Consuls to go to their posts. Assign them temporarily to duties anywhere in China that they may be useful.

(Signed) Hay.

Secstate, Washington.

I have temporarily assigned Cheshire to duty here and Davidson at Shanghai.

(signed) Conger.

At the request of Consul General Goodnow I have assigned Mr. Davidson to temporary duty at the Consulate-General at Shanghai, and instructed Mr. Cheshire to remain at the Legation for such assistance in the work as he may be able to render.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 151

April 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your confidential cipher telegram of the 8th, and mine of to-day, as follows:

Conger, Peking.

Confidential. Russian Authorities will not permit Consuls to go to their posts. Assign them temporarily to duties anywhere in China that they may be useful.

(Signed) Hay.

Secretary, Washington.

I have temporarily assigned Cheshire to duty here and Davidson at Shanghai.

(signed) Conger.

At the request of Consul General Goodnow I have assigned Mr. Davidson to temporary duty at the Consulate-General at Shanghai, and instructed Mr. Cheshire to remain at the Legation for such assistance in the work as he may be able to render.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

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ASSISTANT SECRETARY,
JUN 3 1904

Secretary of State,
MAY 31 1904

No. 1572.

April 12, 1904.

DIPLOMATIC
JUN 8 1904
BUREAU.

Mr. Conger to the
Secretary of State.

Subject:
Report of Consul McWade's investigation of charge that Chinese officials were charging excessive passport fees at Canton.

INDEX BUREAU
JUN 16 1904
FILED

No. 1573.

April 12, 1904.

Mr. Conger to the
Secretary of State.

Subject:
Report of Consul McWade's investigation of
charge that Chinese officials were charging
excessive passport fees at Canton.

No. 1672

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to your instruction No. 742, of December 31st last, concerning the claim that Chinese Officials at Canton were charging excessive fees for furnishing passports to Chinese teachers and evangelists going to the Hawaiian Islands, I enclose a report of an investigation of the matter by Consul General McWade,

and have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Report of Consul General McWade as above.

No. 1572

April 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to your instruction No. 744, of December 31st last, concerning the claim that Chinese officials at Canton were charging excessive fees for furnishing passports to Chinese teachers and evangelists going to the Hawaiian Islands, I enclose a report of an investigation of the matter by Consul General Bowen.

And have the honor to be, Sir,

Your obedient servant,

Enclosure;

Report of Consul General Bowen et seq.

Enclosure No.— in Despatch No. 1572

Mr. McWade to Mr. Conger.

Consulate General of the United States,

Canton, China, March 25th, 1904.

Hon. E. H. Conger,

U. S. Minister,

Peking, China.

Sir:

Immediately on receipt of February 23rd, 1904, of your despatch dated February 6th, 1904, enclosing copy of a letter to the Honorable the Secretary of State from Mr. Theodore Richards, Treasurer and Acting Secretary of the Hawaiian Evangelical Association, complaining that Chinese officials at Canton charged an excessive fee for a Chinese Teacher and Evangelist proceeding from Canton to the Hawaiian Islands, I took up the matter with His Excellency, the Hoppo, Sheong. The result of my inquiry showed that the usual fee charged at his Yamen amounts to $90 Mex. for each passport, and that it has been the custom to charge that amount for at least the past six years. That fee was charged, I learn, by the present Hoppo's predecessor, His Excellency Cheoang, who held office here for upwards of five years.

Addressing His Excellency Sheung on the subject, I enclosed in the same cover with my despatch a copy of your instructions and also a copy of the communication of Mr. Theodore Richards to the Honorable the Secretary of State. I asked him to furnish me with a detailed statement replying in full, "with an accurate statement detailing the fee and the circumstances attending the exactions thereof." In reply he has transmitted the enclosed despatch dated March 16th, 1904. Feeling that His Excellency Sheung had not at all thoroughly covered the matter, I instructed Mr. Russell Colegrove our U.S.Vice Consul General to wait upon him and

receive

Enclosure No.— in Despatch No.1572

Mr. McWade to Mr. Conger.

Consulate General of the United States,

Canton, China, March 25th, 1904.

Hon. E. H. Conger,

U. S. Minister,

Peking, China.

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receive a categorical answer on those points.

I have the honor to enclose herewith a copy of Mr. Colegrove's report thereon.

I am, Sir,

Your obedient servant,

(Signed) Robert M. McWade,

U.S.Consul General.

Two Enclosures.
---

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I am, Sir,

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(Signed) Robert M. McWade,

U.S.Consul General.

Two Enclosures.

(Copy)

Despatch from H.E. the Hoppo Sheung, to the U.S.Consul General.

I beg to acknowledge the receipt of your despatch enclosing copy of a despatch from H.E.Conger, the U.S.Minister at Peking with ahreport from Mr. Richards to the Hon. U.S. Secretary of State, regarding the official fee charged for passports for Chinese Teachers and Evangelists to the Hawaiian Islands, &c., contents of which have my attention.

Upon inquiry into the records here I have found that instructions had been received by my former predecessor from the Foreign Board at Peking that regulations had been fixed and confirmed by them for the Chinese Merchants to proceed to the U.S. America, and that passports were then granted from this Yamen in English and Chinese for that purpose.

Before the granting of such passports, the said immigrating merchants must be thoroughly examined by this Yamen together with a photograph attached which must bona fide correspond with the said merchant in every respect. The said Chinese merchant must also provide some good standing shop as his security.

Since the issue of the above-mentioned regulations, my predecessor had given special case to the employment of clerks and other servants for taking charge of such passports(in English and Chinese)as a special work for which they should be held responsibility. Well qualified constables were also provided for making enquiries of those Chinese merchants as to whether their property being substantial or not? Whether their photos and sureties are in order or not? Each party hold their own responsibility for their work alloted them so that no malpractice may in any way occasion thereby.

With reference to the petty fees charged for passports for the Chinese to the United States, I have the honor to report

(Copy)

Despatch from H.M. the Hoppo Shewng, to the U.S.Consul General.

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With reference to the petty fees charged for passports for the Chinese to the United States, I have the honor to report

report that they have been used for many years as a remuneration alloted to those clerks and servants specially employed for that purpose.

All respectable Chinese Merchants who have been granted these passports to the United States have had paid such fees without the least complaint ever brought forth.

With regard to the statement contained in Mr. Richard's report in which it is stated that the official charges on Chinese teachers and evangelists have rendered their missionary board on viconvenient and unnecessary expence, &c.

But from the last year up to present more than 10 months have elapsed I have found out no Chinese have ever been known to have proceeded to the Hawaiian Islands other than the two persons of Yeung Yuk Pan and Mo Man Ming who at the time of granting them the passports had never complained of the amount of fees.

As I now notice from Mr. Richard's report, who is now applied for the exemption of such fees, I am sorry to inform you that these charges are specially required for covering the allowances and other expenses granted to those clerks and servants for the special duty allotted to them. Should all these servants be suddenly dismissed, no other persons could be spared to do their work. I am therefore of opinion that when the amount charged for passports in a lump sum, it seems to be a big one but when it is distributed to among all those servants it is in fact but trifle.

In conclusion I beg to add that since I took up my official appointment here, I have given strict orders to all me department clerks, writers and others that they must carry out their work according to the former rules and that in case they have to collect any official fees, they could not charge any sum in excess to even a small atom. But as regards to the fees charged for passports for Chinese to foreign countries, I have also enquired that no additional

report that they have been used for many years as a remuneration allotted to those clerks and servants specially employed for that purpose.

All respectable Chinese Merchants who have been granted these passports to the United States have had paid such fees without the least complaint ever brought forth.

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But as regards to the fees charged for passports for China to foreign countries, I have also enquired that no additional

additional charge has ever been made and I have always acted on the usual course.

Should any extra charge have been made Your Honor would certainly have become aware of.

Dated the 30th day 1st Moon,

the 16th March, 1904.

...r.Com. General.

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Should any extra charge have been made Your Honor would certainly have become aware of.

Dated the 30th day Ist Moon, the 16th March, 1904.

Enclosure No. In Despatch No.

United States Consulate General,

Canton, China.

Hon. R. M. McWade,

U. S. Consul General,

Canton, China.

Sir:

Following your instructions, I visited the Yamen of H. E. the Hoppo, for the purpose of ascertaining the exact sum charged teachers or merchants for certificates permitting them to enter the United States, or other American territory.

His Excellency informed me, through our chief Interpreter Mr. Lam Hon Wan, that the fees were the same to-day as they had been for many years. When he entered upon his officialx duties here, he did not increase or decrease the amount charged, but was governed by the amount set by his predecessors.

When a Chinaman applies for a certificate, it is necessary, so His Excellency informed me, for the applicant to give both reputable references, as well as a bond. These are investigated by a Constable, who fixes his charge according to the amount of work necessary, and the time required. Then the writers are paid, and their fee depends somewhat on the amount of work they have before them. The total fee amounts to about ninety dollars, and this has always been the recognized charge.

His Excellency referred to the books and records of his predecessors, showing that regulations had been made by the Foreign Board at Peking governing the issue of these certificates, and that special clerks and servants are employed for this work, and that the fee charged is for the benefit of such servants; also His Excellency showed that the charges to-day are the same as have been made for years

I have the honor to be, Sir,

Your obedient servant, Russell Colegrove.

March 25th, 1904. U.S.V.Con. General.

Enclosure No. 1 In Despatch No.

dated on United States Consulate General,

Canton, China.

Hon. R. M. McWade,

U. S. Consul General,

Canton, China.

Sir:

Following your instructions, I visited the Yamen of H. E. the Hoppo, for the purpose of ascertaining the exact sum charged teachers or merchants for certificates permitting them to enter the United States, or other American territory.

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I have the honor to be, Sir,

Your obedient servant, Russell Colegrove.

March 25th, 1904. U.S.V.Con. General.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
MAY 31 1904
BUREAU.

No. 1573.

April 13, 1904.

INDEX BUREAU RECEIVED MAY 31 1904 DEPT. OF STATE

Mr. Conger to the
Secretary of State.

Subject:

International Congress of Military Surgeons at St. Louis. Invitation forward to Chinese Government in compliance with Department Circular of February 20, 1904.

INDEX BUREAU JUN 6 1904 FILED

No. 1573.

April 13, 1904.

Mr. Conger to the

Secretary of State.

Subject:

International Congress of Military Surgeons at St. Louis. Invitation forward to Chinese Government in compliance with Department Circular of February 20, 1904.

No. 1573.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of February 20th, announcing that the International Congress of Military Surgeons would be held at St. Louis from October 10th to October 15th of the present year.

An invitation to the Chinese Government to be represented by delegates has been extended as directed, and in reply I am informed by the Foreign Office that the Northern and Southern Superintendents of Trade have been written to and ordered to deal with the matter.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 45 73

April 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

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An invitation to the Chinese Government to be represented by delegates has been extended as directed, and in reply I am informed by the Foreign Office that the Northern and Southern Superintendents of Trade have been written to and ordered to deal with the matter.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
MAY 31 1904
BUREAU.

No. 1574.

April 13, 1904.

INDEX BUREAU
RECEIVED
MAY
1904
DEPT. OF STATE

Mr. Conger to the
Secretary of State.

Subject:

International Library Conference at St. Louis,
Chinese delegates to be selected by Chinese
Minister at Washington.

(Acknowledging Department circular of Feb.15.)

INDEX BUREAU
JUN 6 1904
FILED

No. 1574.

April 13, 1904.

Mr. Conger to the
Secretary of State.

Subject:

International Library Conference at St. Louis,
Chinese delegates to be selected by Chinese
Minister at Washington.

(Acknowledging Department circular of Feb.18.)

No. 1674.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of February 15th, with regard to the International Library Conference of the American Library Association to be held at St. Louis during the week of October 17th to 22nd inclusive, of the present year.

In reply to my note inviting, on behalf of the Library Association, the Government of China to be represented at the conference, I am in receipt of a note from the Foreign Office stating that the Chinese Minister in Washington has been instructed to appoint delegates from there, and that as soon as such appointments shall have been made a notification to this effect will be sent to me.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1674.

April 13th, 1904.

To the Honorable

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Secretary of State,

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I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1575

DIPLOMATIC
JUN 8 1904
BUREAU

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RECEIVED
MAY
31
1904
DEPT. OF STATE

April 14, 1904.

Mr. Conger to the

Secretary of State.

Subject:

Transmitting duplicate copies of Part 1 of Trade Returns and Reports for 1903.

(Referring to No. 1382 of September 8, 1903)

INDEX BUREAU
JUN 6 1904
FILED

No. 1576

April 14, 1904.

Mr. Conger to the

Secretary of State.

Subject:

Transmitting duplicate copies of Part I of

Trade Returns and Reports for 1903.

(Referring to No. 1352 of September 8, 1903)

No. 1575

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1382 of September 8th, 1903, I have the honor to transmit herewith duplicate copies of Part I of the Returns of Trade and Trade Reports for the year 1903, published by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure as stated.

To Com. & Labor
June 1, 04
Duplicate enclosure
filed in B. T. R.
Bureau of Trade Relations

No. 1575

April 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

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Referring to my No. 1382 of September 8th, 1903, I have the honor to transmit herewith duplicate copies of Part I of the Returns of Trade and Trade Reports for the year 1903, published by the Imperial Maritime Customs.

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Your obedient servant,

E. H. Conger

Enclosure as stated.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
MAY 25 1904
BUREAU.

No. 1576.

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RECEIVED
MAY
1904
DEPT. OF STATE

April 15, 1904.

To Treasury Dept.
Enclosures mailed to Treasury May 6/.

Mr. Conger to the

Secretary of State.

Subject:

Medical Reports for half year ending March 31 1903, 65th Issue, transmitted.

INDEX BUREAU
JUN 6 1904
FILED

No. 1576

April 18, 1906.

Mr. Conger to the
Secretary of State.

Subject:

Medical Reports for half year ending March 31
1905, 65th Issue, transmitted.

No. 1576

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my unnumbered despatch of December 3rd last, I have the honor to transmit herewith duplicate copies of Medical Reports for the Half Year ended March 31st, 1903, 65th Issue published by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Medical Reports as stated.

No. 157.

April 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my unnumbered despatch of December 3rd last, I have the honor to transmit herewith duplicate copies of Medical Reports for the Half Year ended March 31st, 1903, 85th Issue published by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Medical Reports as stated.

ASSISTANT SECRETARY,
JUN 3 1904
Secretary of State,
MAY 31 1904

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1577.

April 16, 1904.

DIPLOMATIC
JUN 4 1904
BUREAU

Mr. Conger to the
Secretary of State.

Mr. Conger to Mr. Rockhill
Mr. Hackett
Mr. Conant
Forward to E. C. Conant
Comm. on Int. Exchanges.
June 6
E. C.

Subject:

Chinese National Bank, proposed regulations for establishment and control of, transmitted.

INDEX BUREAU
JUN 9 1904
FILED

No. 1577.

April 16, 1904.

Mr. Conger to the
Secretary of State.

Subject:

Chinese National Bank, proposed regulations
for establishment and control of, transmitted.

No. 1577.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my despatch No. 1547, of March 23rd last, I have the honor to enclose herewith translation of the Regulations promulgated by Imperial Decree for the establishment and control of the proposed national Bank. The following bank officials have already been appointed:

Chang Yun-yen, General Manager,

Jui-feng, Assistant Manager,

Shih-ch'ang and

Shao-Ying, Permanent Inspectors.

Chang Yun-yen and Chui-feng are both under-Secretaries of the Board of Revenue, and none of the appointees have had any practical experience in banking.

Chang Yun-yen, the General Manager, visited, last year, the Osaka Exposition, and at that time made some investigation into the Japanese Banking methods.

The Government seems to be in earnest in this undertaking, but it will take a long time to secure the subscription of twenty thousand shares of private capital, and the managers named are without banking experience, so that it will undoubtedly be some time before the Bank is really in successful operation.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Translation of Regulations as stated.

No. 1577

April 18th, 1904.

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I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Translation of Regulations as stated.

Enclosure No.— In Despatch No. 1577.

Regulations proposed by the Board of Revenue for the Experimental Trial of a National Bank.

1. The Bank for the present will be operated experimentally, and it is proposed that first capital be raised to the amount of Tls. 40,000,000, to be divided into 40,000 shares of K'u-p'ing Taels 100 each, the Board of Revenue to appropriate funds for the purchase of 20,000 shares and the remainder, 20,000 shares, to be offered to mandarins or people for their purchase. As the business increases the matter of adding to the number of shares will be taken into consideration, application to that effect to be made by the managers.

2. The Bank will be operated as a limited liability company; no payments will be demanded of the shareholders beyond the amounts of their shares, and in case of failure the shareholders will not be liable for any thing in addition. But when new shares are offered, the old shareholders must have the first opportunity to buy them, and only, if all are not bought by them, may any be offered to others.

3. For the present the Bank will be established at the Capital, and branches opened at such ports as Tientsin, Shanghai, Hankow, and places in Kuangtung and Szechuen. In places where there are no branches wealthy and reliable commercial banks may be selected and contracts made with them to act as agents.

4. The special business of the bank will be to receive money for deposit, pay it out, buy and sell gold and silver ores, bills of exchange and drafts, to discount notes not due, and give safe deposit to articles of value. In matters not set forth in detail, as well as in certain prohibitions to be made, the usual regulations of foreign banks will be followed.

5. The Bank will be under the protection of the Government, and should any crisis occur in the financial market

Enclosure No.— In Despatch No. 1577.

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5. The Bank will be under the protection of the Government, and should any crisis occur in the financial market

market, the Bank may request the Board of Revenue to make appropriation from the Treasury in aid of the Bank, and any loan made in this way will at the due date be repaid with interest according to regulation.

6. The charter of the Bank will be limited to a period of twenty years, beginning with the date of its commencement of business. At the expiration of the said period petition may be presented for the extension of the charter.

7. The Bank must at each quarter prepare in duplicate a true report of its business and its resources, to be sent, one copy to the Bureau of Financial Administration, and the other to the Board of Revenue for their inspection; and the Bureau of Financial Administration and the Board of Revenue may, as occasion shall require, examine the accounts of the Bank. Aside from this the Government shall not in any way interfere with the business affairs of the Bank.

8. Hereafter all silver and copper coins issued from mints must be delivered to the Bank which by its direct connection with the commercial banks will enable them to circulate freely through the markets. Interest at the regulation rate will be paid to the Government upon all deposits of silver and copper coins deposited in this way.

9. All who subscribe for shares in the Bank must at the commencement of business first pay one-fourth of the amount subscribed; and when the business of the Bank shall require more, a notice will be issued calling for payments at specified times. But those who buy such shares must write their surnames and personal names in the register of shareholders. Chinese only shall be allowed to buy. Persons of other nationalities must not buy them,, and original shareholders must not sell any shares to persons of foreign nationality.

10. When the banks decides upon the dates at which

the

market, the Bank may request the Board of Revenue to make appropriation from the Treasury in aid of the Bank, and any loan made in this way will at the due date be repaid with interest according to regulation.

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7. The Bank must at each quarter prepare in duplicate a true report of its business and its resources, to be sent, one copy to the Bureau of Financial Administration, and the other to the Board of Revenue for their inspection; and the Bureau of Financial Administration and the Board of Revenue may, as occasion shall require, examine the accounts of the Bank. Aside from this the Government shall not in any way interfere with the business affairs of the Bank.

8. Hereafter all silver and copper coins issued from mints must be delivered to the Bank which by its direct connection with the commercial banks will enable them to circulate freely through the markets. Interest at the regulation rate will be paid to the Government upon all deposits of silver and copper coins deposited in this way.

9. All who subscribe for shares in the Bank must at the commencement of business first pay one-fourth of the amount subscribed; and when the business of the Bank shall require more, a notice will be issued calling for payments at specified times. But those who buy such shares must write their surnames and personal names in the register of shareholders. Chinese only shall be allowed to buy. Persons of other nationalities must not buy them,, and original shareholders must not sell any shares to persons of foreign nationality.

10. When the banks decides upon the dates at which

the

the several installments of the balance due on the shares is to be paid a general notice to that effect must be issued to the shareholders two months in advance of the date of each installment. Should any shareholder fail to make payment at the time due, when he does pay up, he must be required to pay in addition to the amount due, ten per cent of the said installment as a penalty for delay. If two months more should pass without payment, his shares shall be sold, and after deducting the amount of his fine and the expense connected with the transfer of the shares from the amount which he had previously paid up on the shares, the balance, if any, shall be returned to him. But if the amount previously paid up should not be sufficient to pay said fine and expenses, he shall be compelled to pay the difference. Should the shareholder be living in another province or a foreign country, two months more time shall be allowed him.

11. As the Government is to buy 20,000 shares it will be the largest shareholder, and will have power to appoint the General Manager and the Assistant General Manager. In addition to these there shall be four Directors, who shall be elected by the shareholders, and who with the General Manager and the Assistant General Manager shall constitute a Board of Managers. At the meetings of this Board the General Manager shall preside, and, should the vote upon any question under consideration be a tie, the General Manager shall have a casting vote. If he should be unable to be present, the Assistant General Manager shall take his place. There shall also be three Examiners, who shall be elected by the shareholders and whose duty it shall be to investigate all the affairs of the Bank. Besides these there must be a Taipan and accountants, who shall be engaged by the managers.

12. Unless one shall hold more than 100 shares, he shall not be eligible for the office of Director; and unless one shall hold more than forty shares, he shall not be eligible for the post of Examiner. After Directors shall have been elected,

the several installments of the balance due on the shares is to be paid a general notice to that effect must be issued to the shareholders two months in advance of the date of each installment. Should any shareholder fail to make payment at the time due, when he does pay up, he must be required to pay in addition to the amount due, ten per cent of the said installment as a penalty for delay. If two months more should pass without payment, his shares shall be sold, and after deducting the amount of his fine and the expense connected with the transfer of the shares from the amount which he had previously paid up on the shares, the balance, if any, shall be returned to him. But if the amount previously paid up should not be sufficient to pay said fine and expenses, he shall be compelled to pay the difference. Should the shareholder be living in another province or a foreign country, two months more time shall be allowed him.

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ected, report of the matter must be made to the Bureau of Financial Administration and to the Board of Revenue before they may enter upon the discharge of their duties, but the examiners are qualified by their election by the shareholders.

13. The General Manager and Assistant General Manager shall serve for a term of five years; Directors for a term of four years; Examiners for three years. When the term of office of the General Manager and the Assistant General Manager of service of the Directors & Examiners shall have expired, the Government shall appoint their successors. When the terms shall have expired, the shareholders shall elect successors. If the retiring officers shall have discharged their duties satisfactorily, they shall be eligible to re-election.

14. The expiration of the terms of office of Directors and Examiners shall be so arranged that at least one(of each) shall retire each year. The order in which they shall retire shall be determined by the shareholders in general meeting.

15. There shall be two general meetings each year at Peking, one in the Third Moon and the other in the Ninth Moon. Every shareholder shall have the right to take part, but he must have been registered on the list of shareholders at least one month in advance of the meeting, and he must also have presented his share certificate in person at the Bank at least three days before the meeting and reported his intention to attend the meeting. One month in advance of the date fixed for a meeting a written notice shall be sent to each shareholder, and a general notice published in a daily paper. No one shall be allowed to plead non-receipt of the notice as an excuse for disagreement with any action taken.

16. All the officers of the Bank must hold a general meeting once a month to consider any important matters that may demand attention and to take action on them. The General Manager, Assistant General Manager and the Directors shall meet several times each month to consider matters requiring attention, and their decisions must be referred to the Examiners for approval before they may be carried into effect.

17. At any general meeting of the shareholders there must be

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be present at least one-half of the total number of shareholders, representing at least one-half of the total number of shares, and one-half of the whole list of officers before any action may be taken. Otherwise the meeting must be postponed. If the required attendance cannot be secured at a subsequent meeting, and a large majority of those shareholders present regard the proposal under discussion as one which may be carried out, the matter may be temporarily so decided. And when matters have already been decided by the general meeting of shareholders, those who did not attend shall not be allowed to object or to refuse compliance with such decisions.

In all matters not expressly provided for in these Regulations, the new Commercial Laws adopted upon the recommendation of the Board of Commerce, and which contain detailed regulations for the meetings of corporations shall have full force and effect.

18. The Bank shall keep a general register of shares in which it shall enter the surnames and personal names of the shareholders and other details as to their residence, etc. Should any shareholder desire to sell or transfer his shares to others he must first send a written application to the Bank for permission so to do, and only when the Bank shall have granted permission and notified the persons concerned to send the contract of sale or transfer, signed and sealed by both parties, as well as the share certificate, to the Bank, and the Bank shall have received the same, will the transfer be registered. Moreover the share certificate must have the signature of a Bank officer endorsed on its back as proof that there is to be no repudiation of the transfer, otherwise any one coming to the Bank with a share certificate and calling himself a shareholder will not be so recognized by the Bank. Only those whose names have been registered will be recognized as real shareholders.

19. The Bank shall make a settlement every half year, and the legal interest on each share shall be at the rate of 6/10%

per

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19. The Bank shall make a settlement every half year, and the legal interest on each share shall be at the rate of 6\10%

per

per annum.* After the statement of account shall have been prepared and the legal interest, salaries of officers and necessary expenses shall have been paid, the remainder of the earnings shall be divided into ten shares, of which not less than one share shall be set aside for a reserve fund, and one share appropriated as a bonus to the officers; the remainder shall be divided pro rata among the shareholders as an extra dividend. But unless the statement of account shall show a profit, no extra dividend shall be paid. No extra dividend shall be paid from the capital.

20. The Bank, it is proposed, shall issue notes of five denominations; 100 K'u-p'ing Taels, 50 Taels, 10 Taels, 5 Taels, and 1 Tael, for general circulation, and notes for silver dollars also of the same sort. Besides these, in order to accommodate merchants, it may issue notes for silver of the standard used in the markets even of denominations above Tls. 100, as well as all other sorts of banking paper.

21. As the authority of the Bank extends to all the branches throughout the provinces, the notes of the Bank may be used uniformly at all of them either as deposits received or in payments made, whether public or private; and in the repayment of all monies due the national or provincial governments, it is also permitted to use these notes whether in whole or in part, no distinction being made between them and the coin. When funds are being forwarded to the Board of Revenue, too, they may uniformly be exchanged for notes and the notes sent.

Should any person, official, yamen clerk, merchant or other subject make a distinction between them and the coin, and discount the notes, if he be a resident of the capital, complaint may be filed with the Bureau of Financial Administration, or the Board of Revenue, and, if he be a resident in some other province, with the Viceroy or Governor, and he shall be severely punished.

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22. The Bank shall manage for the Board of Revenue all its collections and payments. Whenever bank notes may be used in receipts or appropriations, the notes of this Bank shall be so employed; the notes of commercial banks must not be mixed with them.

23. When any one calls at the head bank or at a branch bank with the bank's notes and asks to have them changed into coin, the request must be complied with at once; there must not be the slightest delay. The rates at which the notes shall be exchanged in their general circulation through the provinces shall be determined in accordance with the rules as to discount adopted by the Hongkong & Shanghai Banking Corporation and other similar institutions.

24. The Bank will have authority to adjust the relative values of the different monies, and whenever any merchants attempt to create a corner on the market and force up and down at will the relative value of any kind of money, the Bank will be able to report and request their severe punishment, and must fix a just ratio, exerting its influence to preserve a uniform ratio and thus strengthening the coinage system.

25. At present there are many smelting shops in Peking, and when they fail they involve large numbers of people. Now since a head Bank is to be established in the capital we cannot but establish also a reliable smelting shop to assay and smelt silver bullion. It is proposed to appropriate money to set up a smelting house, and engage skilled workmen for the especial purpose of assaying and smelting silver bullion for the Bank, and if any merchants should so desire, they may deliver their silver bullion to the Bank's smelting house to be assayed and cast in silver shoes, as well as deposit their money there to be sent to the Treasury, all of which will be done according to the usual methods of the smelting shops, and continued for the convenience of the merchants until a large amount of silver has been coined and the use of bullion grows less day by day

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when

when the matter will be taken into consideration again, and the smelting house may be abolished.

26. The Bank will not use an oblong seal, but will have a small square seal cut, the design of which shall be determined by the General Manager and the various officials of the Bank in consultation. It shall be placed in charge of the General Manager, but unless there be two inspectors present he shall not unlock nor use the seal. If for any reason the General Manager shall be unable to attend at the Bank, he shall give the key to the Assistant General Manager or a Director that he may take out the seal and use it in behalf of the General Manager.

27. The Bank is to be operated according to western methods under the name of a limited liability corporation, and the Government having appropriated funds to buy shares in it, will be treated in the same way as private shareholders. It can not therefore before the expiration of the period for which the Bank is established, take up its funds at its pleasure, nor under any pretext whatever misapply such funds. Should any attempt of the sort be made, the Bank may stubbornly refuse to comply and thus manifest its just management.

28. The counterfeiting of the Bank's notes would not only be an injury to the business of the Bank but to the users of the counterfeits as well; therefore it is most important that such a crime be strictly prohibited. Since the Bank is under the control of the Board of Revenue, its notes are not in any way different from Government notes, and it should petition the Bureau of Financial Administration and the Board of Revenue to memorialize the Throne, requesting that orders be sent to all the provincial authorities to issue proclamations, strictly forbidding such practices and stating that no matter who the offender may be, if any one shall counterfeit the notes of the Bank, he will be severely punished by the Board of Punishments in accordance with special statutes to be hereafter enacted.

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29. The executive officers of the Bank ought not to be engaged in any other business, but for the present the Bank is only being operated experimentally, and it will be difficult at once to secure specialists or men well versed in banking; therefore the General Manager, and others may for the time being be selected from men in other official employment, who may discharge these duties in addition to their regular employments, but they shall not be allowed any salaries, though they may be given their cost-hire and shall be allowed their share of any bonus distributed.

30. If there should be shareholders in any place where a Bank branch is established, they may select two or three persons to act with those appointed by the Head Bank so that the transaction of business may be carried on according to local customs, but they must not in such transactions do anything that will violate in any important matter the Regulations adopted by the Head Bank.

31. If the Bureau of Financial Administration or the Board of Revenue, or the shareholders or any of the officers of the Bank shall discover upon inspection that the capital has diminished by more than one-half, the Bank must at once suspend its business, but it must be clearly understood that no action shall be taken until the accountants shall have prepared a clear statement of the assets and liabilities and made a complete settlement, when the balance, if any, may be distributed to the shareholders pro rata, and the Bank be permitted to close up. Any different from Government notes, and it should petition the

32. The foregoing are merely provisional regulations, and may be amended hereafter as occasion shall require, or more detailed regulations may be agreed upon, which, if they do not in any important particular differ from these, may be printed and put into operation. Any one shall counterfeit the notes of the Bank, he will be severely punished by the Board of Treasurers in accordance with special statutes to be hereafter enacted.

No. 1578.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that at the suggestion of Mrs. Conger, Her Imperial Majesty, the Empress Dowager, consented to have her portrait painted for exhibition at the Louisiana Purchase Exposition.

The work has now been successfully completed by Miss Katherine A. Carl, an American artist, whom Mrs. Conger presented at the Palace for this purpose, and is now on its way to St. Louis.

As will be seen from the enclosed translation of a note from Prince Ch'ing, instructions have already been given to have the portrait, at the close of the Exposition, presented to the Government of the United States.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Prince Ch'ing to Mr. Conger, April 15th, 1904.

No. 1579

April 18th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

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I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Prince Ch'ing to Mr. Conger, April 18th, 1904.

Enclosure No.- In Despatch No./578

Prince Ch'ing to Mr. Conger.

The portrait of the Empress Dowager now being completed, we have received instructions by Imperial Edict to receive the same with due reverence, and instruct the Inspector General of Customs to forward it to the United States, where the Chief Commissioner to the Exposition will receive it and take it to the Exposition for general exhibition. As soon as the Chief Commissioner shall have closed up his affairs at the Exposition, he shall forward the portrait to Minister Liang who will present it to the United States, and at the same time trans mit the information to the President.

Upon receipt of the above, our Board notified the Chief Commissioner to the Exposition and Minister Liang, that they may obey the Imperial command, and we also as in duty bound send this despatch to Your Excellency, trusting that you will in turn inform the Department of State for their information.

A Necessary Despatch.

Kuanghsü XXX Year, Second Moon, 30th Day.

(April 15th, 1904.)

(SEAL).

Enclosure No.- In Despatch No.157

Prince Ch'ing to Mr. Conger.

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A Necessary Despatch.

Kuangsu XXX Year, Second Moon, 30th Day.

(April 15th, 1904.)

(SEAL).

ASSISTANT SECRETARY.
JUN 3 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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Secretary of State.
MAY 31 1904

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No. 1678.

April 16, 1904.

DIPLOMATIC
JUN 4 1904
BUREAU.

See minute
Conger telegram
of May 4, 1904
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Mr. Conger

To the Secretary of State.

Asked and
Jo. La. Pencil.
Exhibition
Jewett
C.

Subject:

Portrait of Empress Dowager painted for exhibition at St. Louis Exposition to be presented afterwards to the United States.

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No. 1578.

April 16, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Portrait of Empress Dowager painted for exhibition at St. Louis Exposition to be presented afterwards to the United States.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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BUREAU.

No. 1579

Secretary of State,
MAY 31 1904

April 18, 1904.

ASSISTANT SECRETARY,
JUN 2 1904

Mr. Conger

To the Secretary of State,

Subject:

Report of Examination of student interpreters First Quarter of 1904.

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No. 1579

April 19, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Report of Examination of student interpreters

First Quarter of 1904.

No. 1679

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 18th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Transmitting herewith copy of Mr. Williams' report of the regular examination of the Student Interpreters for the first quarter of the year 1904,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Mr. Williams to Mr. Conger, April 16th, 1904.

No. 1579

1

April 18th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Transmitting herewith copy of Mr. Williams' report of the regular examination of the Brunswick Interpreters for the first quarter of the year 1904.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Mr. Williams to Mr. Conger, April 18th, 1904.

Enclosure No.— in Despatch No. 1579.

Mr. Williams to Mr. Conger.-----

Peking, April 16th, 1904.

Hon. E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary of the

United States at Peking, China.

Sir:

I have the honor to report that during the past week I have conducted the regular quarterly examination of the Legation students. The seniors, Messrs. Arnold, Haskins and Cloud were examined in translating despatches from Chinese to English and vice versa, and in Chinese geography and history. Their marks are as follows:

Mr. Arnold, ---------- 94%,

Mr. Haskins, ---------- 92.8%

Mr. Cloud, ---------- 81.1%

The Second Class, consisting of Messrs. Clowe, Hull, and Heintzleman, were examined in the Guide to Kuan Hua and in the translation of despatches, and were marked as follows;

Mr. Clowe, ---------- 93%,

Mr. Hull, ---------- 91.1%,

Mr. Heintzleman, ---------- 85%.

The Third Class, consisting of Messrs. Pontius and Williams, was examined in Mateer's Mandarin Lessons and in the first two parts of the Guide to Kuan Hua, and took rank as follows;

Mr. Pontius, ---------- 87%,

Mr. Williams, ---------- 91.5%.

I have the honor to be, Sir,

Your obedient servant,

(Signed) E. T. Williams,

Chinese Secretary.

Enclosure No.— in Despatch No. 179.

Mr. Williams to Mr. Conger.-----

Peking, April 16th, 1904.

Hon. E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary of the

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I have the honor to be, Sir,

Your obedient servant,

(Signed) E. T. Williams,

Chinese Secretary.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1580.

April 19, 1904

RECEIVED
MAY 31 1904
BUR. ACCOUNTS DEPARTMENT OF STATE.

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Mr. Conger

To the Secretary of State.

Subject:

Chinese Indemnity, final payment. Enclosing 37 signed vouchers and returning warrants and vouchers of Frances Bates Patterson and W. F. Walker. Third instalment has not yet reached Miss Frances O. Wilson, Tientsin. Ad. Mar 11. 1905

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FILED

No. 1580.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 19th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my despatch No. 1560 of April 2nd, I have the honor to return herewith the warrants and vouchers of Frances Bates Patterson whose present address is c/o J. J. Patterson, 709 Walnut St., Chicago; and Rev. W. F. Walker, c/o Guy M. Walker, 504 West 112th St., New York.

Miss Frances O. Wilson whose present address is c/o M. E. Mission, Tientsin, writes that the third installment has not yet reached her, nor has it ever been sent to this Legation. — Paid March 11. 1904 — Aw. Accts.

I also have the honor to return further signed vouchers as follows:

H. S. Lawrence, ✓
Geo. B. Wilson, ✓
North China Tract Co., ✓
W. S. Jackson, ✓
Nathan J. Sargeant, ✓
Gertrude Wyckoff, ✓
Courtenay H. Fenn, ✓
McClay & Co., ✓
A. L. R. Smith, ✓
Charles McCaslin, ✓
Robert R. Gailey, ✓
Y. M. C. A., ✓
A. P. Peck, ✓
William P. Sprague, ✓
Walter S. Emens, ✓
Charles D. Tenney, ✓
Edwin G. Adams, ✓

No. 1510.

Legation of the United States of America,
Peking, China

April 19th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my despatch No. 1500 of April 2nd, I have the honor to report herewith the autograph and vocabulary of Prunese Dates furnished those present address in my [illegible]

1. Patterson, 709 Walnut St., Cincinnati, Ohio, Rev. E. R. Parker, c/o Guy M. Walker, 504 West 112th St., New York.

Miss Frances O. Wilson whose present address is c/o W. W. Heaton, Tientsin, writes that the data [illegible] has not yet reached her, nor has it ever been sent to this legation.

I also have the honor to report further missed receipts as follows:

H. S. Lawrence,

Geo. F. Wilson,

North China Tract Co.,

W. H. Jackson,

Nathan J. Sargeant,

Gertrude Woodruff,

Courtney H. Penn,

Medley & Co.,

A. T. E. Smith,

Charles McClatchy,

Robert H. Bailey,

Y. M. C. A.,

A. P. Peck,

William F. Sprague,

Walter S. Adams,

Charles D. Tenney,

Edwin G. Adams,

William Blanchard, ✓
Sarah J. Ragsdale, ✓
Jane M. Moore, ✓
Margaret H. Crofts, ✓
Charles Denby, Jr., ✓
James W. Ragsdale, ✓
Laura N. Jones, X
Charles A. Stanley, ✓
James H. McCann, ✓
Daniel B. Nye, ✓
Henry H. Montell, ✓
Emma E. & Lizzie E. Martin, ✓
Jane E. Chapin, ✓
Henry P. Perkins, ✓
Effie G. Young, ✓
M. Ida Stevenson, ✓
Frances O. Wilson, ✓
Lewis L. Etzel, ✓
Nellie N. Russell, ✓
Mary E. Sheffield.

I have the honor to be, Sir,

Your obedient servant,

E. A. Hooper

Enclosures;

Warrants and vouchers as stated.

William Hancock,
Byron L. Maginnis,
Ida K. Moore,
Margaret M. Cecil,
Charles Smith, Jr.,
Irene M. Imperial,
Laura E. Green,
Charles A. Stanley,
James E. Brown,
Mattie V. Cox,
Henry E. Newell,
Mrs. M. Alexie E. Martin,
Jane E. Cowin,
Henry P. Perkins,
Nellie O. Young,
E. Ida Stevenson,
Thomas O. Wilson,
Lewis L. Wood,
Nellie M. Donnell,
Mary E. Sheffield,
I have the honor to be, Sir,
Your obedient servant,

Secretary.

Warrants and vouchers as stated.

ASSISTANT SECRETARY,
APR 20 1904

TELEGRAM RECEIVED IN CIPHER.

APR 22 1904
BUREAU.

From

PEKING,

April 20, 1904,

3:27 a. m.

Secretary of State,

Washington.

20th Chinese Government refuses American Trading Company permission ship from Shanghai to its branch in Yokohama tinplate and tea lead, considering them contraband. This seems to me an exaggerated construction. Please cable your opinion and instruction.

C O N G E R.

INDEX BUREAU
MAY 5 1904
FILED

Ciphered by the Chief Clerk's Office, April 20, 1904. 9:30

Ack. and file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY,
JUN 2 1904

DIPLOMATIC
JUN 16 1904
BUREAU.

No. 1581.

April 20, 1904.

Mr. Conger

To the Secretary of State,

INDEXED & FILED
REC'D.
JUN 1
1904
DEPT. OF STATE

CHIEF CLERK,
JUN 1 1904
Department of State.

Subject:

Laying of corner stone of new Legation.

INDEX BUREAU
JUN 16 1904
FILED

No. 1581.

April 30, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Laying of corner stone of New Legation.

No. 1581.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 20th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have pleasure in reporting that in the presence of nearly all the Americans in Peking and vicinity, the corner stone of our new Legation was formally laid with simple but impressive ceremonies at 11:30 A.M. yesterday.

The services were begun with a prayer from Dr. H. H. Lowry, the senior missionary in Peking. The Architect, Mr. Nealy, then by a very interesting speech, introduced Mrs. Conger, and presenting her a beautiful silver trowel made for the occasion, requested her to lay the stone, which she did.

The Minister then made some brief remarks, after which Mr. Nealy read a list of the articles which were enclosed in the stone, and then Dr. Sheffield pronounced the benediction.

I enclose copies of the remarks made by Mr. Nealy and the Minister, as well as a list of things enclosed in the stone.

This ceremony at this time does not mean that we are just starting our foundations, for the corner stone is laid at the floor level, and the first story walls of all the buildings are well under way.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Speech of Mr. Nealy,
2. " " the Minister,
3. List of articles placed under the corner stone.

No. 1581.

April 30th, 1904.

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Secretary of State,

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1. Speech of Mr. Healy,
2. " " the Minister,
3. List of articles placed under the corner stone.

Enclosure No/ In Despatch No. 1581

Remarks made by Sid H. Nealy, Architect, upon the occasion of the laying of the corner stone of the American Legation buildings, Peking, on Tuesday, April 19th, 1904.

Ladies & Gentlemen:

The setting of a corner-stone is indicative of progress and is always a proper occasion for felicitation. When the manufacturer abandons his old mill for a newer and better one it means that he is prosperous and expects to do a larger business in the future; and being more prosperous, he is naturally supposed to be happier than before, and a fit subject for congratulation.

The erection of a new building generally means something better than that that has been; something more ambitious; something nearer man's ideal. It marks just another forward step in the irresistable march of civilization.

The occasion which calls us together to-day, however, means more to us than the ordinary laying of a corner-stone. It graphically illustrates the astonishing growth of our Government in importance relative to the other world Powers. It is a forceful reminder that Uncle Sam, too long looked upon as a gawky, growing but promising youth, has really rounded out into a full-grown man,- vigorous, resourceful, self-confident, and meaning to take his place in the world where business calls. It means that he, like the manufacturer, is going to do a bigger business in the future.

He has already shown impatience in having his realty confined to one small continent between two small oceans like the Atlantic and the Pacific, and now in erecting these, his first Legation quarters, he shows his determination to cease to be a tenant and become his own landlord. Therefore we are here to offer him our hearty congratulations.

But

Enclosure No\ In Despatch No.\581

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But

But nobody fears Uncle Sam's coming, be it where it may. His advance carries with it no misgivings, no terrors. On the contrary, wherever his flag is seen, there is to be found prosperity and Christianity. There is no better illustration of this fact than that which is before us here in Peking. Here under his flag and protection are Christians missionaries, whose good work cannot possibly be over-estimated. They have achieved magnificent results. I see the effects of their good work every day of my life right here on these grounds. I have had ample proof that they are not working in vain. Their disciples have lightened my labors and made possible that which but for their devotion to Christian duty would have been a hopeless task. Those I have about me in this work, upon whom I can implicitly rely, are every one from the hands of the missionaries. I earnestly hope that the building of these houses may prove a help to them in sti ll furthering their cause in China, and I believe it will.

Obviously there is but one person to lay the cornerstone of the American Legation buildings in Peking. There is with us a lady without whose name any history of Peking would be incomplete. With her, light has come out of darkness, progress out of lethargy, love and good-will out of prejudice and hate. Her sincerity and sweet personality have worked wonders with her less favored sisters of the East in dissipating ignorance and misunderstanding, and in propagating the growth of trust, confidence, truth, and all the civilising influences.

No one with a less sympathetic nature, less unselfishness, less earnestness of purpose, could have accomplished what she has. And no one questions for a moment that the tact and good judgment displayed in her womanly sphere have done much to aid her distinguished husband in creating the present friendliness between China and America. She has had in this work the earnest assistance of her American

sisters

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sisters all.

Her record during the dark days of anarchy and rebellion, of starvation and suffering, of siege and battle, is too fresh in the memory of all present to need mention here, yet I cannot pass this phase of the history of Peking without giving credit to one who proved herself as cool under fire, as unflinching in her duty, and as brave in danger as any soldier our country has produced. Her name is as inseparably linked with the history of this city as are its walls, its gates and towers, its rulers and their yellow-tiled palaces.

And too, as the lady more closely identified than others with the official relations of China and America, it belongs to her by right to lay the corner-stone of buildings henceforth to be devoted to the cultivation of friendship between the two nations.

Mrs. Conger will you please accept a trowel with which to start this work on its way to completion?

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Enclosure No. 2 In Despatch No. 1581

Remarks made by E. H. Conger at the laying of the corner-stone of the United States Legation, Peking, China, April 19th, 1904.

Recently the United States has awaked to the idea that it has attained the stature of a full-grown man, and must assume adult responsibilities. It has reached the stage where it must do a man's business all around the globe, and do it in severe competition with the other great Powers that encircle it. Hence we have large increased our Army; we are developing a system of coast fortifications unsurpassed in the world; we are rapidly building a Navy which already commands respect for our flag on every sea; we have undertaken the bringing together our Eastern and Western coasts by the most stupendous undertaking of ancient or modern times. The sturdy strenuosity of our progressive President is, through his splendid Secretary of State, impressing our policies and politics upon all the great Governments of the globe. This is large done through Ambassadors and Ministers stationed at the world's most important capitals.

Up to the present time these Representatives, in humiliating contrast with their Colleagues, have been compelled to provide their own residences, or occupy such shabby apartments as the most meagre appropriations for rent would supply.

But out from all the horrors of the siege of 1900 has come at least one good--the Chinese Government has alloted us this most beautiful site, and our Government, by a liberal appropriation for buildings here, has begun a policy of owning its own Legations, and it is our proud privilege to-day to inaugurate that policy in this old, old Capital, by laying the corner-stone of the first Legation erected under it. A policy which, it is to be hoped, will

be

Enclosure No. 1 In Despatch No. 1531

Remarks made by M. H. Conger at the laying of the corner-stone of the United States Legation, Peking, China, April 19th, 1904.

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be

be continued until every American Ambassador and Minister shall be sheltered, not only by the American flag, but by an American roof, owned by his own Government.

We are most fortunate in having a man sent to do this work, who is able and willing to do it well. If you will but inspect the work already done, you will observe that its like cannot be found anywhere in the Orient, and will agree that the buildings, when they are completed, will stand here as lasting testimonials to the ability, industry, thoroughness, and integrity of a man, the influence of whose character, and the lesson of whose work, will abide with the Chinese forever--a fitting monument to the Architect, Mr. Sid H. Nealy.

Now, my friends, as the special Representative of the United States Government, I thank you all for the cordial assistance in the simple ceremonies of laying this corner-stone, and I am sure you will join with me in expressing the hope that the policies and principles which, hereafter, shall issue forth from the building erected over it shall be as strong, as pure, and as clean, as are its square and glistening sides to-day, and that the Government itself, in whose splendid achievments we all take a pardonable pride, may be as solid and lasting as the indestructible particles of granite of which the beautiful stone is composed.

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Enclosure No. 3 In Despatch No. 1581.

List of Articles enclosed in Corner-stone of new Legation.

A bible,

Portrait of President Roosevelt,

Portrait of Secretary, Hon. John Hay,

An American Flag,

Copy of the Peking Official Gazette,

Copy of the Peking & Tientsin Times,

Official lists of names of:

President and Cabinet,

Emperor and Empress Dowager,

Officers of the Wai Wu Pu,

U. S. Minister and Legation Staff,

Photographs showing beginning and progress of work on buildings,

Various coins bearing date 1903, the year of commencement of work.

Enclosure No.3 In Despatch No.1581.

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY, Secretary of State. JUN 6 1904

No. 1682.

DIPLOMATIC JUN 6 1904 BUREAU.

April 20, 1904.

Rec'd June 7

Mr. Conger

To the Secretary of State,

INDEX BUREAU RECD. JUN. 1 1904 DEPT. OF STATE

CHIEF CLERK. JUN 1 1904 Department of State

Subject:

Renewal of Chinese Immigration Treaty.
Confirming department telegram of 6th inst. No. 1561 of April 4th continued.

INDEX BUREAU JUN 9 1904 FILED

No. 1683.

April 20, 1903.

Mr. Conger

To the Secretary of State.

Subject:

Re sway of Chinese Immigration Treaty.

Confirming Department telegram of 8:1
Inst. No. 1301 of April 8 concerned

No. 1592.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 20th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1561, of the 4th instant, concerning the renewal of the Chinese Immigration Treaty, I have the honor to confirm your cipher telegram of the 6th instant as follows:

Secstate, Washington.
Your despatch No. 1524 received. Renew efforts with the Prince to withdraw denunciation of the Treaty. Determination of the Chinese Government is already producing signs of violent agitation in this country by opponents of any immigration treaty.
(Signed) Hay.

I enclose copies of recent correspondence with Prince Ch'ing showing a determination on the part of the Chinese to terminate the Treaty, which it seems useless to combat.

My memorandum, a copy of which is enclosed, and to which Prince Ch'ing replies by memorandum, was left with him at the time of our last conference, in order that he might clearly understand the position taken by the Department of State, and which I had presented to him verbally.

I am quite sure that Mr. Wu T'ing-fang is wholly responsible for the present position and action of the Chinese Government.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger's Memorandum,
2. Prince Ch'ing's Memorandum,
3. Mr. Conger to Prince Ch'ing, April 11th, 1904.
4. Prince Ch'ing to Mr. Conger, April 19th, 1904.

No. 1674.

April 20th, 1904.

To the Honorable

John Hay,

Secretary of State,

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3. Mr. Conger to Prince Ch'ing, April 11th, 1904.

4. Prince Ch'ing to Mr. Conger, April 19th, 1904.

Enclosure No. 1. In Despatch No. 1582.

Hon. John Hay, Secretary of State, to Hon. E. H. Conger, dated Feb. 19th, 1904. (Mr. Conger's Memorandum.)

This Department feels convinced that, should the treaty prohibiting the immigration of Chinese laborers into the United States be terminated and a new one negotiated, not only would it be impossible to secure the approval of the Senate to another one as favorable, but it would, as well, be doubtful whether any treaty looking towards the regulation of Chinese immigration into the United States would be secured. With no treaty in force, the way would be open for more stringent legislation by Congress, which the President and this Department, having at heart the strengthening of the good feelings which have developed between the two Governments, would greatly regret.

In urging the above conditions upon the Chinese Government, you may state that it seems particularly unfortunate in view of the well-known disposition of the Government of the United States to meet, so far as it can, all the wishes of China, that this question, which has been in the past the source of so much bitter controversy, not only here but also among the Chinese, should be revived when the hopelessness of securing a more satisfactory arrangement should be realized by the Chinese Foreign Office as it is by the Department of State.

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Enclosure No.2 In Despatch No./582

Memo. from Prince Ch'ing to Mr. Conger, by the hand of H. E. Wu T'ing-fang.

On the 16th of the Second Moon of the present Year (April 1st, 1904), His Excellency, Mr. Conger in person presented a memo. saying that he had received instructions from Hon. John Hay, Secretary of State, regarding the Treaty for the Prohibition of Chinese Immigration, to the effect that, if the present Treaty should be terminated and a new one negotiated, not only would the Senate be unable to ratify it, but Congress would be able to follow its own inclinations and adopt regulations more stringent than those now in force; that the President and the Department of State were anxious to preserve pleasant relations with China, and were most unwilling to have a renewal of the unfortunate conditions of a few years ago, etc.

This Board finds that the present Treaty was established with the especial purpose of prohibiting the immigration of Chinese laborers, and that therefore it was provided in the Treaty very clearly that officials, merchants, students, teachers and travellers might all enter the United States. But now these five classes of persons on arrival in the United States are all put to great annoyance by the Regulations adopted by the Treasury Department of the United States; and other persons, such as inn-keepers, bankers, missionaries, dentists and others are entirely forbidden to enter the United States. Not only is there no other country which has such regulations, but even the United States does not apply such regulations to immigrants from other countries. What other country has such harsh restrictions?

If this Treaty should be continued for another ten years, all trace of Chinese within the boundaries of the United States will disappear. The request which this Board recently decided to make that the Treaty might be modified,

was

Enclosure No. 2 In Despatch No. 1683

Memo. from Prince Ch'ing to Mr. Conger, by the hand of H. M. Wu T'ing-fang.

On the 16th of the Second Moon of the present Year (April 1st, 1904), His Excellency, Mr. Conger in person presented a memo. saying that he had received instructions from Hon. John Hay, Secretary of State, regarding the Treaty for the Prohibition of Chinese Immigration, to the effect that, if the present Treaty should be terminated and a new one negotiated, not only would the Senate be unable to ratify it, but Congress would be able to follow its own inclinations and adopt regulations more stringent than those now in force; that the President and the Department of State were anxious to preserve pleasant relations with China, and were most unwilling to have a renewal of the unfortunate conditions of a few years ago, etc.

This Board finds that the present Treaty was established with the especial purpose of prohibiting the immigration of Chinese laborers, and that therefore it was provided in the Treaty very clearly that officials, merchants, students, teachers and travellers might all enter the United States. But now these five classes of persons on arrival in the United States are all put to great annoyance by the Regulations adopted by the Treasury Department of the United States; and other persons, such as inn-keepers, bankers, missionaries, dentists and others are entirely forbidden to enter the United States. Not only is there no other country which has such regulations, but even the United States does not apply such regulations to immigrants from other countries. What other country has such harsh restrictions?

If this Treaty should be continued for another ten years, all trace of Chinese within the boundaries of the United States will disappear. The request which this Board recently decided to make that the Treaty might be modified,

was

was no more than a desire to make more clear some of the provisions of the Treaty which are now somewhat vague, so that all persons might know that the Treaty prohibits the immigration of Chinese laborers only, and that other classes of Chinese are not included.

This Board knows very well that the labor unions of the United States have much to do with the election of the Government, and that the President and State Department therefore, knowing the jealous feeling of the labor unions, are unable not to bend considerably to their wishes, but our Chinese people in the United States are constantly beseeching us, sending petitions and telegrams in great numbers, urging this Board to act, so that it becomes our duty to take some measures to relieve their anxieties. We formerly proposed to wait a year or so until the elections should be over and then take up the matter again. This was with the intention of showing our friendliness to the United States and our appreciation of the circumstances existing there. If the United States is not willing to extend the Treaty for a time, the best thing to do will be to wait until the present Treaty shall have expired, when further negotiations may be undertaken.

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Enclosure No. 3. In Despatch No. 582

Mr. Conger to Prince Ch'ing.

Your Imperial Highness: April 11th, 1904.

I have the honor to acknowledge the receipt on the 8th instant of a memorandum regarding the Chinese Immigration Treaty, which your Imperial Highness sent to me by the hand of H.E., Mr. Wu T'ing-fang. The intimation in the last sentence of the memorandum that the United States is unwilling to extend the Treaty for a time cannot be left unrefuted. It has been made perfectly clear to Your Imperial Highness that the President and Secretary of State are perfectly willing to extend the Treaty for any period, however brief, but that the treaty itself fixes absolutely the term of ten years as the only period of extension possible without the ratification of the Senate, and to attempt to secure this would open up the whole question to a general discussion, which, as has been fully explained, would certainly bring about unfavorable results.

I have just received a telegram from the Department of State informing me that even the press notices of China's determination to denounce the Treaty is already producing signs of violent agitation in the United States by the opponents of any immigration Treaty.

It would appear that in the several conferences which we have held upon this subject sufficient has already been said to convince Your Highness of the wisdom under all the circumstances of extending the present Treaty for another term of ten years, and thus avoiding the agitation which the attempt to negotiate a new Treaty would surely bring about.

If, notwithstanding all that has been said, such attempt be made, and, as is most probable, it be found impossible to secure the ratification of a new Treaty, and unfortunate conditions result from the absence of any Treaty, the responsibility for such a state of affairs must rest upon the Chinese Government. I

Enclosure No. 3. In Despatch No. 182

Mr. Conger to Prince Ch'ing.

Your Imperial Highness: April 11th, 1904.

I have the honor to acknowledge the receipt on the 8th instant of a memorandum regarding the Chinese Immigration Treaty, which Your Imperial Highness sent to me by the hand of H.E., Mr. Wu T'ing-fang. The intimation in the last sentence of the memorandum that the United States is unwilling to extend the Treaty for a time cannot be left unrefuted. It has been made perfectly clear to Your Imperial Highness that the President and Secretary of State are perfectly willing to extend the Treaty for any period, however brief, but that the treaty itself fixes absolutely the term of ten years as the only period of extension possible without the ratification of the Senate, and to attempt to secure this would open up the whole question to a general discussion, which, as has been fully explained, would certainly bring about unfavorable results.

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It would appear that in the several conferences which we have held upon this subject sufficient has already been said to convince Your Highness of wisdom under all the circumstances of extending the present Treaty for another term of ten years, and thus avoiding the agitation which the attempt to negotiate a new Treaty would surely bring about.

If, notwithstanding all that has been said, such attempt be made, and, as is most probable, it be found impossible to secure the ratification of a new Treaty, and unfortunate conditions result from the absence of any Treaty, the responsibility for such a state of affairs must rest upon the Chinese Government.

I

I must therefore once more earnestly urge Your Imperial Highness to withdraw the denounciation of the existing Treaty by your Government before the 7th of June next, and I trust that for the sake of the best interests of all concerned, Your Highness' Government will consent to do this.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

E.E.& M.P. of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

I must therefore once more earnestly urge Your Imperial Highness to withdraw the denunciation of the existing Treaty by your Government before the 7th of June next, and I trust that for the sake of the best interests of all concerned, Your Highness' Government will consent to do this.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

E.E.& M.P. of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No.4 In Despatch No.1582.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt on the 27th of the Second Moon, XXX Year of Kuanghsü (April 12th, 1904), of Your Excellency's despatch, saying that you had received my memorandum regarding the Treaty for the Restriction of Chinese Immigration into the United States; that you felt obliged to protest against the phrase in the said memorandum--"If the United States is unwilling to extend the Treaty for a short time," etc; that as to extending the term of the Treaty, it was not that the Government of the United States was unwilling, but that the Treaty itself provided that, if it were to be continued, it should be continued for ten years; that therefore it would be impossible to continue it in force for a period less than ten years without the ratification of the Senate; and that, if the matter of extending the term of the Treaty were to be brought before the Senate, it would be impossible to avoid a general discussion and agitation, which might have unpleasant consequences; that you had already several times in person said to me that the best plan would be to extend the Treaty for another period of ten years; that if we were determined to terminate the Treaty and negotiate a new one, it was doubtful whether the Senate could ratify such new Treaty; and that if our two countries were to be without a Treaty upon the subject it would be difficult to guarantee that no inconvenience would result; and that therefore you must urgently request me once more to withdraw before the 7th of June next the announcement already made that the Treaty would be terminated.

As to this matter my Board is not by any means ignorant of the difficulties of your Government. But, if the Treaty is not modified, the harsh regulations of your Government will daily give more annoyance and the Chinese in

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Enclosure No.4 In Despatch No.1582.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt on the 27th of the Second Moon, XXX Year of Kuanghsü (April 12th, 1904), of Your Excellency's despatch, saying that you had received my memorandum regarding the Treaty for the Restriction of Chinese Immigration into the United States; that you felt obliged to protest against the phrase in the said memorandum--"If the United States is unwilling to extend the Treaty for a short time," etc; that as to extending the term of the Treaty, it was not that the Government of the United States was unwilling, but that the Treaty itself provided that, if it were to be continued, it should be continued for ten years; that therefore it would be impossible to continue it in force for a period less than ten years without the ratification of the Senate; and that, if the matter of extending the term of the Treaty were to be brought before the Senate, it would be impossible to avoid a general discussion and agitation, which might have unpleasant consequences; that you had already several times in person said to me that the best plan would be to extend the Treaty for another period of ten years; that if we were determined to terminate the Treaty and negotiate a new one, it was doubtful whether the Senate could ratify such new Treaty; and that if our two countries were to be without a Treaty upon the subject it would be difficult to guarantee that no inconvenience would result; and that therefore you must urgently request me once more to withdraw before the 7th of June next the announcement already made that the Treaty would be terminated.

As to this matter my Board is not by any means ignorant of the difficulties of your Government. But, if the Treaty is not modified, the harsh regulations of your Government will daily give more annoyance and the Chinese in the

the United States cannot endure the oppression. Several tens of thousands of them have repeatedly called to us for help, and how can my Board treat their cries with indifference! As to withdrawing the announcement that the Treaty is to be terminated, this will be very difficult to do. Your Excellency fears that if there be no Treaty, there may result some inconvenience, but the oppression now endured by the Chinese in the United States is already extreme, and it would seem that their condition could not be made worse than at present, and this makes it very difficult for us to consent to extend the Treaty for another period of ten years. Thus, since each of our Governments has its difficulties, we had better wait perhaps until the term of the present Treaty shall expire and then discuss the matter again.

As in duty bound I send this reply for Your Excellency's information, and trust that you will transmit it to your honorable Government.

A Necessary Despatch.

Kuanghsü XXX Year, Third Moon, 4th Day.

(April 19th, 1904.) (SEAL)

the United States cannot endure the oppression. Several tens of thousands of them have repeatedly called to us for help, and how can my Board treat their cries with indifference! As to withdrawing the announcement that the Treaty is to be terminated, this will be very difficult to do. Your Excellency fears that if there be no Treaty, there may result some inconvenience, but the oppression now endured by the Chinese in the United States is already extreme, and it would seem that their condition could not be made worse than at present, and this makes it very difficult for us to consent to extend the Treaty for another period of ten years. Thus, since each of our Governments has its difficulties, we had better wait perhaps until the term of the present Treaty shall expire and then discuss the matter again.

As in duty bound I send this reply for Your Excellency's information, and trust that you will transmit it to your honorable Government.

A Necessary Despatch.

Kuanghsü XXX Year, Third Moon, 14th Day.

(April 19th, 1904.) (SEAL)

DNFLO..AT18
JUN 1904
BUREAU

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1583.

April 22, 1904.

Papers ordered June 13. 1904.
July 1. 1904 to June 30. 1905.
Am. Secretary

Mr. Conger

To the Secretary of State.

INDEX BUREAU
REC'D.
JUN.
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1904
DEPT. OF STATE

Subject:

Requesting renewal of subscription of American journals for use of Legation.

INDEX BUREAU
JUN 16 1904
FILED

No. 1515.

April 22, 1904.

Mr. Comyn

To the Secretary of State.

Subject:

Requesting renewal of subscription of
American journals for use of Legation.

No. 1583.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1280 of April 27th, 1903, I have the honor to request that the subscriptions to the Washington Post and the San Francisco Chronicle, for the use of this Legation, may be renewed for the year ending June 30th, 1905.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1643.

April 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1280 of April 27th, 1903, I have the honor to request that the subscriptions to the Washington Post and the San Francisco Chronicle, for the use of this Legation, may be renewed for the year ending June 30th, 1905.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 1 1904
BUREAU.

No. 1584

April 22, 1904

Mr. Conger

To the Secretary of State.

One copy & enclosure mailed each to Bpr. of Com. & Lbtry. & Hydrographic Office, June 1, 1904. E.

INDEX BUREAU
REC'D.
JUN 1
1904
DEPT. OF STATE

Subject:

Light-houses, buoys, etc., on coast and rivers of China, list of transmitted.

(Despatch No. 1232 of March 10, 1903 referred to)

INDEX BUREAU
JUN 6 1904
FILED

No. 1744.

April 22, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Light-houses, buoys, etc., on coast and rivers of China, list of transmitted.

(Despatch No. 1232 of March 10, 1903, referred to)

No. 1584

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1232, of March 10th, 1903, I have the honor to transmit duplicate copies of the List of Lighthouses, Light-vessels, buoys, and beacons on the coast and rivers of China for 1904, issued by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Copies of List as stated.

No. 1574

April 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1232, of March 10th, 1903, I have the honor to transmit duplicate copies of the List of Lighthouses, Light-vessels, buoys, and beacons on the coast and rivers of China for 1904, issued by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Copies of List as stated.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 1 1904
BUREAU.

No. 1585.

INDEX BUREAU
RECD.
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1
1904
DEPT. OF STATE

April 25, 1904.

Inform the applicants
Rev. A. Nelleander,
Sec. Swed. Evang. Mission
Covenant of America
June 6.

Mr. Conger

To the Secretary of State.

Subject:

Swedish Evangelical Mission Covenant of America under protection of this Legation.

Dep't Instruction No. 772, March 9, 1904.

INDEX BUREAU
JUN 9 1904
FILED

No. 1791.

April 25, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Swedish Evangelical Mission Covenant of America under protection of this Legation.

Dep't Instruction No. 772, Mar. 9, 1904.

No. 1585.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Instruction No. 772, of the 9th ultimo, enclosing request of the Swedish Evangelical Mission Covenant of America, that their Missions and Missionaries in China be placed under the protection of the United States Government during the present disturbances in the East, and authorizing me to take appropriate action.

I shall, if occasion requires, use my good offices in their behalf.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1575.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Instruction No. 772, of the 9th ultimo, enclosing request of the Swedish Evangelical Mission Covenant of America, that their Missions and Missionaries in China be placed under the protection of the United States Government during the present disturbances in the East, and authorizing me to take appropriate action.

I shall, if occasion requires, use my good offices in their behalf.

I have the honor to be, Sir,

Your obedient servant,

C. D. Tenney

File.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1586.

CONSULAR BUREAU
JUN
1904
DEPARTMENT of STATE

April 25, 1904.

Mr. Conger

To the Secretary of State.

INDEX BUREAU
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Subject:

Commission and recognition of John Fowler, Esquire, as United States Consul General at Chefoo; Dep't Instruction No. 773 of March 10, 1904.

INDEX BUREAU
JUN 6 1904
FILED

No. 1776.

April 25, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Commission and recognition of John Fowler, Esquire, as United States Consul General at Chefoo; Dept't Instruction No. 773 of March 10, 1904.

No. 1586.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 773 of March 10th, transmitting the Commission of Mr. John Fowler, United States Consul General at Chefoo.

The customary steps having been taken by the Chinese Government, I have forwarded the Commission to Mr. Fowler at his post.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1574.

April 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 775 of March 10th, transmitting the Commission of Mr. John Fowler, United States Consul General at Chefoo.

The customary steps having been taken by the Chinese Government, I have forwarded the Commission to Mr. Fowler at his post.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY, JUN 2 1904

DIPLOMATIC JUN 6 1904 BUREAU.

No. 587.

April 25, 1904.

Secretary of State, JUN 2 1904

Mr. Conger

To the Secretary of State.

INDEX BUREAU RECD. JUN 1 1904 DEPT. OF STATE

CHIEF CLERK, JUN 1 1904 Department of State.

Subject:

Receipt of Department Instruction No. 775 enclosing copy of Diplomatic and Consular Appropriation Act. Appointment of Mr. T. W. Haskins as Ass't Chinese Sec'y requested.

INDEX BUREAU JUN 9 1904 FILED

No. 1747.

April 28, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Receipt of Department Instruction No. 778 enclosing copy of Diplomatic and Consular Appropriation Act. Appointment of Mr. T. W. Hawkins as Asst. Chinese Secty requested.

No. 1587.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have genuine pleasure in acknowledging receipt of Department Instruction No. 775, enclosing a copy of the Diplomatic & Consular Appropriation Act, approved March 12th, 1904, which contains provision for an Assistant Chinese Secretary for this Legation, to be appointed from the corps of Student Interpreters, at a salary of $2000.00 a year; and that the Student Interpreters at the Legation have been allowed $125.00 each per year for the payment of their Chinese teachers, and that this latter appropriation has been made immediately available.

I renew the request made in my despatch No. 1552, of March 28th, 1904, that Mr. Thomas W. Haskins may be permanently appointed as Assistant Chinese Secretary of the Legation.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1541.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN CHINA

April 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have remains pleasure in acknowledging receipt of Department Instruction No. 776, enclosing a copy of the Diplomatic & Consular Appropriation Act, approved March 12th, 1904, which contains provision for an Assistant Chinese Secretary for this Legation, to be appointed from the corps of Student Interpreters, at a salary of $2000.00 a year; and that the Student Interpreters at this Legation have been allowed $125.00 each per year for the payment of their Chinese teachers, and that this latter appropriation has been made immediately available.

I renew the request made in my despatch No. 1542, of March 28th, 1904, that Mr. Thomas W. Hoaking may be permanently appointed as Assistant Chinese Secretary of the Legation.

I have the honor to be, Sir,

Your obedient servant,

E. Rodgers

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 2 1904
BUREAU.

No. 1588.

April 26, 1904.

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JUN 1
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DEPT. OF STATE

Mr. Conger

To the Secretary of State.

Reciprocity Commission
Rec'd June 13, 1904,
Noted & refd. for
filing & same date

Copy to Mr. Ewing
Mr. Coltman Rec'd

Zille

To Treasury June 2

To Com. & Labor June 8/04.

Bureau of Trade Relations

Subject:

Duties on petroleum and products in China.

Reply to Circular instruction of March 4, 1904.

INDEX BUREAU
JUN 13 1904
FILED

No. 1588.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your Circular of March 4th, 1904, relative to duties on petroleum and products imported from the United States.

In reply I have the honor to state that the Revised Chinese Tariff is published in full in the Consular Reports for December 1902.

According to this Tariff kerosene in cases of ten American gallons each pays a specific duty of H.K.Tls. 0.07, and kerosene in bulk pays per ten American gallons, a specific duty of H.K. Tls. 0.05. Crude petroleum is not mentioned in the list, nor any product save kerosene; but all imports not enumerated in this tariff list must pay duty at the rate of 5% ad valorem. The market value of the goods in local currency when converted into H.K. Tls., is to be considered to be 12% higher than the value upon which the duty is to be calculated.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

TELEGRAM RECEIVED CIPHER.

ASSISTANT SECRETARY, APR 29 1904

CHIEF CLERK, APR 28 1904 Department of State.

DIPLOMATIC APR 30 1904 BUREAU.

From PEKING,

April 27, 1904,

5:45 a. m.

Secretary of State,

Washington.

28th Japanese servants of Washburne and Little have been released, and arrived Chefoo to-day.

C O N G E R.

INDEX BUREAU MAY 5 1904 FILED

Stamped by the Chief Clerk's Office, April 28, 1904. 9:15

Ack. and file.

ASSISTANT SECRETARY,
JUN 2 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1589.

April 27, 1904.

DIPLOMATIC
JUN 4 1904
BUREAU.

Mr. Conger

To the Secretary of State.

Ackd June 6.
File

INDEX BUREAU
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CHIEF CLERK,
JUN 1 1904
Department of State

Subject:

Consul General Cheshire, assigned, at the request of Mr. Peirce, to assist him in inspection of Consulates in China.

INDEX BUREAU
JUN 10 1904
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No. 1519.

April 27, 1904.

Mr. Conger

To the Secretary of State.

Subject:

Consul General Cheshire, assigned, at the request of Mr. Pierce, to assist him in inspection of Consulates in China.

No. 1589.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 27th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In accordance with Department's undated telegraphic Instructions, and at the request of Mr. Peirce, 3rd Assistant Secretary of State, I have assigned Consul General Cheshire to assist in his inspection of the Chinese Consulates.

Mr. Cheshire left here on the 24th instant to join Mr. Peirce at Hongkong, and by reason of his knowledge of the Chinese language, and of his Consular experience and extensive Chinese acquaintance, I apprehend will be of great assistance to Mr. Peirce.

I have the honor to be, Sir,

Your obedient servant,

C. D. Conger

No. 1279

April 27th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In accordance with Department's wmdated telegraphic instructions, and at the request of Mr. Peirce, 3rd Assistant Secretary of State, I have assigned Consul General Cheshire to assist in his inspection of the Chinese Consulates.

Mr. Cheshire left here on the 26th instant to join Mr. Peirce at Hongkong, and by reason of his knowledge of the Chinese language, and of his Consular experience and extensive Chinese acquaintance, I apprehend will be of great assistance to Mr. Peirce.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1590.

April 27, 1904.

Mr. Conger

To the Secretary of State,

INDEX BUREAU
RECD.
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1
1904
DEPT. OF STATE

Subject:

Receipt of Department's unnumberred instruction dated March 2, entitled "Information Concerning Passports which have been refused."

INDEX BUREAU
JUN 6 1904
FILED

No. 1590.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 27th, 1904.

To the Honourable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honour to acknowledge the receipt of your unnumbered despatch of March 2, entitled "Information Concerning Passports which have been Refused," together with the supply of cards referred to.

I will see that the instructions laid down therein are exactly followed in this Legation in future.

I have the honour to be, Sir,

Your obedient servant,

E. H. Conger

Legation of the United States of America
Peking, China

April 27th, 1900.

To the Honourable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honour to acknowledge the receipt of your unnumbered despatch of March 3, entitled "Information Concerning Passports which have been Refused," together with the supply of cards referred to.

I will see that the instructions laid down therein are exactly followed in this Legation in future.

I have the honour to be, Sir,

Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 16 1904
BUREAU.

No. 1591. April 28, 1904.

Mr. Conger to the

Secretary of State.

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REC'D.
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To Treasury for Director Mint
Ofd
To Navy Dept. with original report
June 7

Subject:

Report of Mr. Williams, Chinese Secretary, replying to interrogatories of the Bureau of Mint, forwarded in compliance with Dep't Circular of January 12, 1904.

INDEX BUREAU
JUN 9 1904
FILED

No. 1691.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In compliance with Department Circular of January 12th last, I have the honor to transmit herein a report prepared by Mr. Williams, Chinese Secretary of the Legation, replying, as far as possible at the present time, to the interrogatories of the Bureau of the Mint.

Should we be able to secure further valuable data, they will be promptly forwarded.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Williams to Mr. Conger, April 26th, 1904, with Report as stated.

Jan. 13/04 to Treas

Misc. No.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 26th. 1904.

Hon. Edwin H. Conger,
Envoy Extraordinary and
Minister Plenipotentiary
of the United States in Peking.

Sir:- In compliance with your instructions I have prepared the inclosed Report, replying so far as possible to the interrogatories of the Bureau of the Mint, which were forwarded to you in the Circular of the Department of State, dated January 12, 1904.

I regret that the Chinese dislike for accuracy and the consequent lack of statistics have made it impossible to reply to a large number of the questions asked.

Members of the Board of Revenue have repeatedly promised me a report of the operations of the various mints, but so far I have been unable to secure anything of the sort. Recently I have addressed inquiries to foreigners connected with the mints or to our Consuls in the vicinity of such as appear to have no foreign experts in charge, but it will be some time before replies may be expected, and I have thought it better to submit such items of information as are now available without waiting for these replies. Should any important statistics come to hand later, report of them will be made at once.

I have the honor to be,
Sir,
Your obedient servant,

E. T. Williams

Chinese Secretary.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC BUREAU
JUN 11 1904

ASSISTANT SECRETARY,
JUN 11 1904

INDEX BUREAU
RECD.
JUN
6
1904
DEPT. OF STATE

April 28th, 1904.

CHIEF CLERK,
JUN 6 1904
Department of State.

To the Honourable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honour to request a leave of absence from my post for sixty days during the present calendar year, circumstances permitting, and at such time as may be designated by the Minister. I do not wish to go to the United States.

I have not been absent from my post during the last twelve months.

I have the honourto be, Sir,

Your obedient servant,

John Gardner Coolidge
Secretary of Legation.

INDEX BUREAU
JUN 16 1904
FILED

Bureau of Indexes and Archives.

_____, 190 .

FOR RELS. 1904.

Apr 28

ment of Washburn

Little.

1 p

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Deeds returned to Legation, April 18, 1905, with copy of letter of Mr. A. J. Williams. D. C.

No. 1592.

INDEX BUREAU RECD. JUN 6 1904 DEPT OF STATE

April 29, 1904.

Asked and H. G. Squiers informed June 17. D. C.

Mr. Conger to the

Secretary of State.

CHIEF CLERK, JUN 6 1904 Department of State.

DEPT OF STATE. APR 29 1904 MAIL'S OFFICE

Deeds were returned to Dept in Mr. Rockhill's No. 164, Dec. 11, 1903, were withdrawn from that despatch and are now filed in Bureau of Accounts' safe.

Subject:

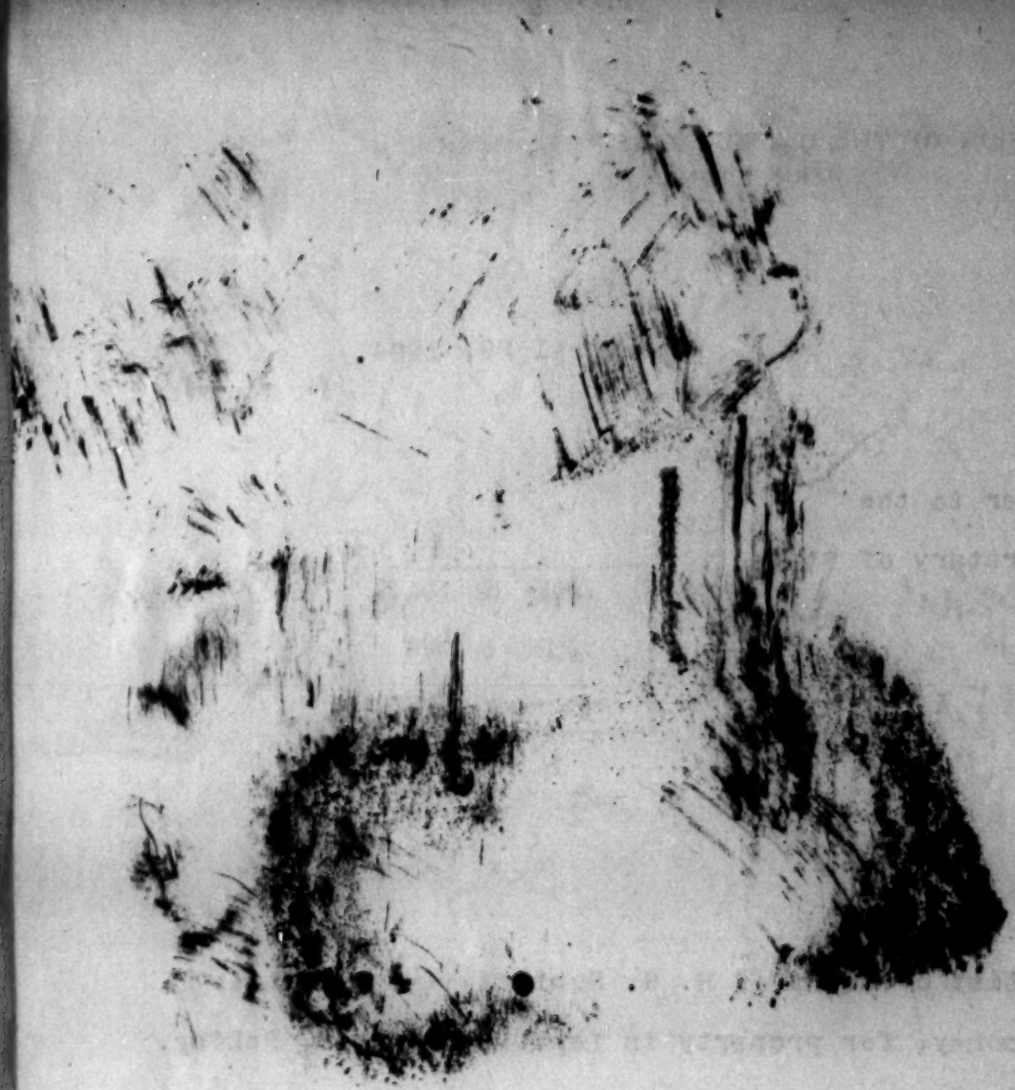
Wrote again to H. G. Squiers, Dec. 7/04 D. C.

List of deeds of H. G. Squiers, and purchase money, for property in Legation Quarter, Peking. Deeds forwarded.

(Dep't Instruction No. 771, of 8th ult.)

348

INDEX BUREAU JUN 16 1904 FILED



SOLIC FICE

DIPLOMATIC
DEC 3
BUREAU

Diplomatic Bureau:

Instruct Mr. Conger as follows:

Referring to your No. 1592, of April 29 last, and to the eleven deeds, therewith enclosed, of parcels of land in the Legation quarter in Peking, held by Mr. H. G. Squiers, I have to inform you that the Department has this day written Mr. Squiers a letter, a copy of which is enclosed herewith, to your information. The Department would be glad to have you report on the two propositions stated in the letter: 1st, as to the desirability of the purchase by the Department of the parcel of land bought by Mr. Squiers and on which he built a school-house for his children, in the Legation quarter, and the sum which he paid therefor, whether in taels or otherwise. The Department is disposed, if you recommend the purchase of this parcel, to take conveyance thereof from Mr. Squiers, reimbursing him for what he actually paid therefor; and, Secondly, if you report in favor of the purchase of the parcel just mentioned, the Department would be glad to have you report to it a careful survey and description by metes and bounds of the entire parcels which the Department is intending to allow compensation for to Mr. Squiers, so that the entire description may be contained in a single deed from him to the United States Government, The deed will probably be sent to the Legation for future custody and use, unless you should advise its retention here. If you do not recommend the purchase of this The parcel last mentioned, you will then make a complete description of the other eleven parcels, in the manner and for the purposes above indicated.

Feb. 1904
Have received
Consul Conger's
letter of the 29th ult.
with enclosures
dated Peking, April 29
forwarding deeds
executed by Squiers
conveying to U.S.
certain parcels
of land in the
Legation quarter
Peking
Instruction
sent to Conger
(No. 1592)
1904

DEC 3
BUREAU

Diplomatic Bureau:

Instruct Mr. Conger as follows:

Referring to your No. 1302 of April 29, inst, and to the eleven deeds therewith enclosed, of parcels of land in the Legation quarter held by Mr. H. G. Squiers, the Department this day written Mr. Squiers a letter, a copy of which is enclosed for your information. The Department would be glad to have your report on the two propositions contained in the letter, as to the desirability of the purchase by the Department of the parcel of land bought by Mr. Squiers and on which he built a house for his children in the Legation quarter, and the manner in which he paid therefor, whether in taels or otherwise. The latter point is disposed, if you recommend the purchase of said parcel, to take conveyance thereof from Mr. Squiers, reimbursing him for what he actually paid therefor; and, 2d, if you report in favor of the parcel just mentioned, the Department would be glad to have you report to it a careful survey and description by metes and bounds of the entire parcels which the Department is intending to allow compensation for to Mr. Squiers, so that the entire description may be contained in a single deed from him to the United States Government. The deed will probably be sent to the Legation for future custody and use, unless you should advise its retention here. If you do not recommend the purchase of this parcel last mentioned, you will then make a complete description of the other eleven parcels in the manner and for the purposes above indicated.

SOLICITOR'S OFFICE
DEC 2 1904

Mr. Squiers is not
to understand
in his official character
as Minister to Cuba.
P.L.

DIPLOMATIC
DEC 3 1904
BUREAU.

Diplomatic Bureau:

Write a letter to Mr. Squiers, Havana, and say:

On further consideration of the matter of the payment to you for certain pieces of land in the Legation quarter at Peking, the Department is disposed to reimburse you for the sums actually invested in the property. The purchases made by you are computed in Kungfa taels, their value in August, 1900, being $.705. This would make the whole of your purchases amount, in American gold, to $8,578.34, to which should be added the cost of a wall constructed by you around the property, $276.00,- a total of $8,854.34. According to Mr. Conger's despatch of April 29, last, (No.1592), it would be difficult to make a good description of this property from the description contained in the deeds for the eleven parcels of land constituting it. Accordingly the Department has asked Mr. Conger to report on two points; 1st, as to whether the Legation needs the parcel of ground purchased by you as a playground for your children and on which you built a school-house; and, 2d, if so, to report to the Department a fresh and complete description of all the lands herein referred to, in order that you may make conveyance thereof by a single deed to the United States Government. In case Mr. Conger reports in favor of the purchase of the last mentioned parcel, the Department would, of course, reimburse you for the actual amount paid therefor.

WRC

SOLICITOR'S OFFICE
DEC 8 1904

DIPLOMATIC
DEC 8 1904
BUREAU

Diplomatic Bureau:

Write a letter to Mr. Squiers, Havana, and say:

On further consideration of the matter of the payment to you for certain pieces of land in the Legation quarter at Peking, the Department is disposed to reimburse you for the sums actually invested in the property. The purchases made by you are computed in Kungla taels, their value in August 1900 being $.705. This would make the whole ~~sum~~ of your purchases amount, in American gold, to $8,578.34, to which should be added the cost of a wall constructed by you around the property, $276.00,- a total of $8,854.34. According to Mr. Conger's despatch of April 29, last, (No.1392), it would be difficult to make a good description of this property from the description contained in the deeds for the eleven parcels of land constituting it. Accordingly the Department has asked Mr. Conger to report on two points; 1st, as to whether the Legation needs the parcel of ground purchased by you as a playground for your children and on which you built a school-house, and 2d, if so, to report to the Department a clean and complete description of all the lands herein referred to, in order that you may make conveyance thereof by a single deed to the United States Government. In case Mr. Conger reports in favor of the purchase of last mentioned parcel, the Department would, of course, reimburse you for the actual amount paid therefor.

M K 9

Memo. on claims in Aug. 1900, dictated by Judge Penfield.

MEMORANDUM.

Attached to Mr. Conger's despatch No. 1592 of April 29, 1904, are eleven deeds, in Chinese, to the corresponding number of pieces of land included within the boundaries of that portion of the Legation Quarter allotted to the United States. Attached also is a list prepared by the Legation giving the value of each of these eleven pieces.

The value is reckoned in Kungfa taels, and the total amount is 12,167.85 taels. The value of a Kungfa tael in August, 1900, (the approximate date of purchase by Mr. Squiers) was $.705; and the total cost of this property to Mr. Squiers, computed at this rate, was $8,578.34.

Mr. Squiers also claims payment for a wall which he had constructed around this property at a cost of $276.00. The Department has already offered to reimburse him in this amount.

Recapitulation:

Amount due Mr. Squiers for eleven pieces of land as per deeds and list herewith,....	$8,578.34
Cost of wall around property.....	276.00
Total.....	$8,854.34

This latter amount would be the sum due Mr. Squiers for all the property for which the Legation has sent deeds.

As to the piece of ground,--not included in the foregoing--which Mr. Squiers says he purchased as a playground for his children, and for which he claims the value to be about 3,000 taels, or $2,057.89, it is suggested that Mr. Conger might be requested to give his views as to its purchase. In the meantime the other property could be purchased.

The amount offered by the Department in its letter of June 14 last was $7,345.00. The amount now offered is $8,854.34. The difference is due to the fact that the former computation was based on the value of Kunfa taels on June 8, last, while the present computation is based on their value at the time of purchase.

Rec. 2, 04 012.

MEMORANDUM.

Attached to Mr. Cooper's despatch No. 1592 of April 29, 1904, are eleven deeds, in Chinese, to the corresponding number of pieces of land included within the boundaries of that portion of the Legation Quarter allotted to the United States. Attached also is a list prepared by the Legation giving the value of each of these eleven pieces.

The value is reckoned in Kungfa taels, and the total amount is 12,167.85 taels. The value of a Kungfa tael in August, 1900, (the approximate date of purchase by Mr. Squiers) was $.705; and the total cost of this property to Mr. Squiers, computed at this rate, was $8,578.34.

Mr. Squiers also claims payment for a wall which he had constructed around this property at a cost of $276.00. The Department has already offered to reimburse him in this amount.

Recapitulation:

Amount due Mr. Squiers for eleven pieces of land as per deeds and list herewith,....$8,578.34

Cost of wall around property..... 276.00

Total.....$8,854.34

This latter amount would be the sum due Mr. Squiers for all the property for which the Legation has sent deeds.

As to the piece of ground,--not included in the foregoing--which Mr. Squiers says he purchased as a playground for his children, and for which he claims the value to be about $3,000 taels, or $2,037.89, it is suggested that Mr. Cooper might be requested to give his views as to it s purchase. In the meantime the other property could be purchased.

The amount offered by the Department in its letter of June 14 last was $7,343.00. The amount now offered is $8,854.34. The difference is due to the fact that the former computation was based on the value of Kungfa taels on June 8, last, while the present computation is based on their value at the time of purchase.

No. 1592.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

April 29th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Complying with Department Instruction No. 771, of the 8th ultimo, I have had Mr. Williams carefully examine the deeds left in the Legation safe by Mr. H. D. Squiers, who finds the number, and precise sums paid, as given on the list herein enclosed.

The total amounts to Kung-fa Taels 12167.85.

You will note that the first tract mentioned was not purchased from Chinese, but from the Roman Catholic Church, and could be legally held by Mr. Squiers; but it is an irregular piece, situated near the middle of the Legation property on Canal Street, and if retained by him would make the Legation property much less valuable; hence this tract should, by all means, go with the rest, and its surrender may reasonably be insisted upon as part of the consideration for making the reimbursement which the Department has concluded to make to Mr. Squiers.

Since most of these tracts are of peculiar shape, and many of them described in the deeds by monuments (houses, shops, etc.,) which have been destroyed, it would be very difficult to trace out each piece; but these deeds include all the property in the tract marked "D," on the map heretofore filed with the Department, except a small piece adjoining the Korean Legation on Legation Street, which Mr. Squiers bought in 1899, and built a school-house thereon for his children, and the Temple tract which Dr. Coltman pretended to have bought, but on which he never made any payment, and which I am now occupying as a residence.

I enclose Mr. Squiers' eleven deeds, and suggest that

some

No. 1892.

List of Deeds to Property Purchased by Hon.H.C.Squiers and Included within the Boundaries of that Portion of the Legation Quarter in Peking Allotted to the United States.

One Deed, dated Nov.13, 1900, from Yang Kuang-sheng, Agent of the Roman Catholic Church.Price paid,Ching-p'ing Taels, 2,000. = ...Kung-fa Tls.1946.00.

One Deed, dated, Nov.13, 1900, from Hsü Yün-shiao, Price paid, Ching-p'ing Tls.2,000. = ... " 1946.00.

One Deed, dated Nov.14, 1900, from Li Chien-shai, Price paid, Ching-p'ing Tls.2,000. = ... " 1946.00.

One Deed, dated Nov.14, 1900, from Meng Pi-ch'en, Price paid, Ching-p'ing Tls.300. = ... " 291.90.

One Deed, dated Jan'y.7, 1901, from Pao-ts'un,Price paid (Kind of taels not specified) Tls.1,200, reckoned as Ching-p'ing Tls. = ... " 1167.60.

One Deed, dated Jan'y.7, 1901, from Chu Yü-lin, Price paid, (Kind of Tls.not specified) Tls.250. = " 243.25.

One Deed, dated Jan'y.7, 1901, from Ch'eng Wen-huan, Price paid, (Kind of Tls.not specified) Tls.350. = " 340.55.

One Deed, dated Jan'y.7, 1901, from Mrs.Jui,nèe Yen, Price paid (Kind of Tls.not specified) Tls.450. = " 437.85.

One Deed, dated Jan'y.7, 1901, from Wang Yü-lin, Price paid, (Kind of Taels not specified)Tls.1500,= " 1459.50.

One Deed, dated Jan'y.7,1901, from Mrs.Ts'ui,nèe Chao,Price paid,(Kind of Tls.not Specified) Tls.400. " 389.20.

One Deed, dated Feb.26,1901, from Liu Ch'eng, Price paid, ... Kung-fa Tls.2000.00.

Total Kung-fa Tls. 12,167.85.

The above is a correct list. Notes

E.T. Williams

Chinese Secretary.

List of Deeds to Property Purchased by Hon.H.G.Squiers and Included within the Boundaries of that Portion of the Legation Quarter in Peking Allotted to the United States.

One Deed, dated Nov.13, 1900, from Yang Kuang-sheng, Agent of the Roman Catholic Church.Price paid,Chinese p'ing Taels, 2,000. = ... Kung-pi Tls.1946.00.

One Deed, dated, Nov.13, 1900, from Hsü Yün-chiao, Price paid, Ching-p'ing Tls.2,000. = ... " 1946.00.

One Deed, dated Nov.14, 1900, from Li Chien-chai, Price paid, Ching-p'ing Tls.2,000. = ... " 1946.00.

One Deed, dated Nov.14, 1900, from Meng Pi-ch'en, Price paid, Ching-p'ing Tls.300. = ... " 291.90.

One Deed, dated Jan'y.7, 1901, from Pao-ta'un,Price paid (Kind of taels not specified) Tls.1,200, reckoned as Ching-p'ing Tls. = ... " 1167.60.

One Deed, dated Jan'y.7, 1901, from Chu Yü-lin, Price paid, (Kind of Tls.not specified) Tls.250. = " 243.25.

One Deed, dated Jan'y.7, 1901, from Ch'eng Wen-hsuan, Price paid, (Kind of Tls.not specified) Tls.350. = " 340.55.

One Deed, dated Jan'y.7, 1901, from Mrs.Jui,née Yen, Price paid (Kind of Tls.not specified) Tls.450. = " 437.85.

One Deed, dated Jan'y.7, 1901, from Wang Yü-lin, Price paid, (Kind of Taels not specified)Tls.1500,= " 1459.50.

One Deed, dated Jan'y.7,1901, from Mrs.Ta'ui,née Chao,Price paid,(Kind of Tls.not Specified) Tls.400. " 389.20.

One Deed, dated Feb.26,1901, from Liu Ch'eng, Price paid, ... K

Total Kung-

Notes

Tls. above is a correct total.

Chinese Secretary.

(Property Purchased by Mr.Squiers)

NOTES.

*When the kind of Tael is not mentioned, it is generally understood that the Ching-p'ing Tael is meant in Peking. 100 Ching-p'ing Taels = Kung-fa Tls.97.30.

A Memo. attached to a parcel containing the first four deeds on the list mentions that Tls.60.00 were paid as a commission for the purchase of these pieces. The amount of the commission for the remainder is not stated.

E.T.W.

(Property Purchased by Mr. Squiers)

NOTES.

When the kind of Taels is not mentioned, it is generally understood that the Ching-p'ing Tael is meant in Peking. 100 Ching-p'ing Taels = Kung-Fa Tls.97.30.

A Memo. attached to a parcel containing the first four deeds on the list mentions that Tls.60.00 were paid as a commission for the purchase of these pieces. The amount of the commission for the remainder is not stated.

W.T.S

some sort of an instrument be taken from him quit-claiming to the United States all his interest to said tracts. It might be well to require a regular deed for the first tract mentioned in the list as bought from the Roman Catholic Church.

Mr. Squiers paid out something for building a wall along this property for which you propose to reimbure him, and clearing the ruins and debris from part of it, but I have no means of ascertaining how much.

I have the honor to be, Sir,

Your obedient servant,

C. H. Sawyer

Enclosures;

List as stated.

Deeds of Mr. Squiers as stated.

The Assistant Secretary.

June 9, , 1904.

Dear Judge Penfield:
I suppose Mr. Squiers may now be informed of the price which this Govt. will pay for the land and the wording of the instrument by which he will give quit-claim. Copy of Mr. Conger's despatch and list of the land might be sent to Mr. Squiers.

SOLICITOR'S OFFICE
APR 15 1905

APR 15 1905
BUREAU

Diplomatic Bureau:

Enclose the attached deeds (in Chinese) to certain lands belonging to Mr. H. G. Squiers, the purchase of which is now under consideration by the Department, and instruct Mr. ~~Conger (or~~ Mr. Rockhill) to report to the Department an accurate description of the lots in question, etc., as requested in its instruction of December 7, last. When the deeds have served their purpose in this connection, they should be returned to the Department with the report called for.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1693.

May 2, 1904.

Receipted for 63 W.D.S.

INDEX BUREAU
JUN 8 1904
DEPARTMENT OF STATE

Mr. Conger

To the Secretary of State.

BUREAU OF ROLLS & LIBRARY
11 JAN 1905
DEPARTMENT OF STATE

Subject:

Receipt of Blue Code No. 43, with Holocryptic Code - old Blue Code No. 24, returned.

Blue No. 24 received and put away with the supply in Stenographer's room.

INDEX BUREAU
JUN 8 1904
FILED

File

No. 1694.

May 2, 1904.

Mr. Cooper

To the Secretary of State.

Subject:

Receipt of Diplomatic Code No. 43, with Supplement

Code - old Blue Code No. 41, returned.

No. 1593.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Department Instruction No. 780, of March 26th, accompanied by a copy of the Blue Code numbered 43, with Holocryptic Code.

I return herewith the original and duplicate receipts signed by me, and the old copy of the Blue Code numbered 24, securely wrapped and sealed as directed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures;

Duplicate receipts for copy of Blue Code.

Old Code under separate cover.

May 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Department instruction No. 750, of March 28th, accompanied by a copy of the Blue Code numbered 43, with Hollerith Code.

I return herewith the original and duplicate receipts signed by me, and the old copy of the Blue Code numbered 36, securely wrapped and sealed as directed.

I have the honor to be, Sir,

Your obedient servant.

Enclosures;

Duplicate receipts for copy of Blue Code.

Old Code under separate cover.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 6 1904
BUREAU.

INDEX BUREAU
RECEIVED
JUN
6
1904
DEPT. OF STATE

May 2, 1904

Mr. Conger

To the Secretary of State.

Subject:

International Good Roads Congress, Chinese delegates to be appointed by Minister at Washington.

INDEX BUREAU
JUN 6 1904
FILED

May 2, 1904

Mr. Conger

To the Secretary of State.

Subject:

International Good Roads Congress, Chinese delegates to be appointed by Minister at Washington.

1594.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 2, 1904

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's unnumbered instruction of February 29, last, enclosing an invitation addressed to the Government of China to be officially represented at the International Good Roads Congress to be held at St. Louis May 16-21, 1904 under the auspices of the Universal Exposition.

The invitation has been duly presented and I am in receipt of a note from the Foreign Office informing me that the Chinese Minister at Washington has been instructed to appoint delegates to proceed thither at the appointed time.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 8, 1904.

To the Honorable,
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's unnumbered instruction of February 29, last, enclosing an invitation addressed to the Government of China to be officially represented at the International Good Roads Congress to be held at St. Louis May 16-21, 1904 under the auspices of the Universal Exposition.

The invitation has been duly presented and I am in receipt of a note from the Foreign Office informing me that the Chinese Minister at Washington has been instructed to appoint delegates to proceed thither at the appointed time.

I have the honor to be, Sir,

Your obedient servant,

5.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 6 1904
BUREAU.

INDEX BUREAU
RECEIVED
JUN
6
1904
DEPT. OF STATE

May 2, 1904

Mr. Conger

To the Secretary of State.

Rckd. D. of S. June 7

Subject:

International Congress on Education, delegates to be appointed by Chinese Minister at Washington.

INDEX BUREAU
JUN 6 1904
FILED

May 2, 1904

Mr. Conger

To the Secretary of State.

Subject:

International Congress on Education, delegates
to be appointed by Chinese Minister at Washington.

95.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 2, 1904.

To the Honorable,

John Hay,

Secretary of State;

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's unnumbered instruction of March 15th last, enclosing an invitation addressed by the Universal Exposition, St. Louis, and the National Educational Association, to the Government of China to appoint official delegates to the International Congress on Education to be held at the City of St. Louis from June 28 to July 1, inclusive, 1904.

The invitation has been duly presented and I am in receipt of a note from the Foreign Office informing me that the Chinese Minister at Washington has been instructed to appoint delegates to proceed thither at the appointed time.

I have the honor to be, Sir,

Your obedient servant,

C. D. Conger

May 2, 1904.

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's numbered instruction of March 18th last, inclosing an invitation addressed by the Universal Exposition, St. Louis, and the National Commercial Association, to the Government of China to appoint official delegates to the International Congress on Tuberculosis to be held at the City of St. Louis from June 28 to July 1, inclusive, 1904.

The invitation has been duly presented and I am in receipt of a note from the Foreign Office informing me that the Chinese Minister at Washington has been instructed to appoint delegates to proceed thither at the appointed time.

I have the honor to be, Sir,

Your obedient servant,

TELEGRAM RECEIVED IN CIPHER

ASSISTANT SECRETARY, MAY 4 1904

CHIEF CLERK, MAY 4 1904 Department of State.

DIPLOMATIC MAY 4 1904 BUREAU.

From PEKING,

Received May 4, 1904,

3:55 a. m.

Secretary of State,

Washington.

4th Foreign Office requests us telegraph that portrait of the Empress Dowager for St. Louis Exposition, afterwards to be presented to the Government of the United States, arrives at San Francisco steamship SIBERIA May 28th.

C O N G E R.

INDEX BUREAU MAY 7 1904 FILED

Ciphered by the Chief Clerk's Office, May 5, 1904. 9:50

Diplomatic Bureau.
Confirm.
Answered by cable
May 4, 1904

CHIEF CLERK,
MAY 4 1904
Department of State.

TELEGRAM RECEIVED IN CIPHER

DIPLOMATIC
MAY 4 1904
BUREAU.

From PEKING,

Received May 4, 1904,

12:30 p. m.

5/6/04

Secretary of State,

Washington.

4th Shall Davidson proceed to Antung? I advise waiting till permanence of Japan's occupation is reasonably demonstrated and Japan's wishes are known.

C O N G E R.

INDEX BUREAU
MAY 9 1904
FILED

hered by the Chief Clerk's Office, May 4, 1904. 12:50

TELEGRAM RECEIVED IN CIPHER

ASSISTANT SECRETARY.
MAY 4 1904

Received May 4, 1904.
8:35 a. m.

TELEGRAM RECEIVED IN CIPHER

Secretary of State,
Washington.

Shall Devikam proceed to Antung? I
[illegible] waiting till permanence of Japan's occupation
is reasonably demonstrated and Japan's wishes are
known.

COUNTER.

[illegible] the Chief Clerk's Office, May 4, 1904. 12:35

CHIEF CLERK,
MAY 4 1904
Department of State.

ASSISTANT SECRETARY,
MAY 5 1904

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
MAY 5 1904
BUREAU.

From PEKING,

May 4, 1904,

Received 6 a. m.

Secretary of State,

Washington.

4th Your telegram about neutrality. Chinese Government reiterates its promise of strict observance.

CONGER.

INDEX BUREAU
MAY 9 1904
FILED

Ciphered by the Chief Clerk's Office.

CHIEF CLERK
MAY 4 1904
Department of State

ASSISTANT SECRETARY.

TELEGRAM RECEIVED

INFORMATION
MAY 5 1904
BUREAU

From Peking,

May 4, 1904.

Received 4 a.m.

Secretary of State,

Washington.

4th. Your telegram about neutrality. Chinese Government reiterates its promise of strict observance.

COCKRAN.

Received in the Chief Clerk's Office, May 4, 1904. 12:30

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 18 1904
BUREAU.

No. 1596.

CHIEF CLERK,
JUN 6 1904
Department of State.

May 4, 1904.

Mr. Conger to the

Secretary of State.

ASSISTANT SECRETARY.
JUN 11 1904

BUREAU OF APPOINTMENTS.
JUN 11 1904
Department of State.

Subject:

Application of Mr. Henry P. Fletcher, Second Secretary, for promotion to be Secretary of Legation, forwarded, recommended.

INDEX BUREAU
JUN 25 1904
FILED

No. 1596.

May 4, 1904.

Mr. Conger to the

Secretary of State.

Subject:

Application of Mr. Henry F. Fletcher, Second Secretary, for promotion to be Secretary of Legation, forwarded, recommended.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1596.

May 4, 1904.

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to forward herewith the application of Mr. Henry Prather Fletcher, the efficient Second Secretary of this Legation, for promotion to some available post as Secretary of Legation.

Mr. Fletcher has been with this Legation nearly a year, and his services have been so satisfactory and valuable that we should dislike to lose him, yet his age, his tact, his judgment, his office training, his knowledge of law and his experience as a lawyer abundantly equip him for a much higher place in the service.

Since his arrival here he has been assiduously practising French; he translates the language easily and speaks it quite well.

Believing him thoroughly fitted, I take genuine pleasure in recommending him for appointment to any Secretaryship of Embassy or Legation that may be available.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure as stated.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1574.

May 4, 1904.

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to forward herewith the application of Mr. Henry Prather Fletcher, the efficient Second Secretary of this Legation, for promotion to some available post as Secretary of Legation.

Mr. Fletcher has been with this Legation nearly a year, and his services have been so satisfactory and valuable that we should dislike to lose him, yet his age, his tact, his judgment, his office training, his knowledge of law and his experience as a lawyer abundantly equip him for a much higher place in the service.

Since his arrival here he has been assiduously practising French; he translates the language easily and speaks it quite well.

Believing him thoroughly fitted, I take genuine pleasure in recommending him for appointment to any Secretaryship of Embassy or Legation that may be available.

I have the honor to be, sir,

Your obedient servant,

Inclosure as stated.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.



May 4, 1904.

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

(Through the Minister),

S i r :

In the event of vacancy in the office of Secretary of Legation, I have the honor to apply for promotion thereto, and to request assignment to post in Europe, if available.

I have the honor to be, Sir,

Your obedient servant,

Henry P. Fletcher
Second Secretary of Legation.

May 4, 1904.

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

(Through the Minister).

S I R :

In the event of vacancy in the office of Secretary of Legation, I have the honor to apply for promotion thereto, and to request assignment to post in Europe, if available.

I have the honor to be, Sir,

Your obedient servant,

Second Secretary of Legation.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY.
JUN 11 1904

Secretary of State.
JUN 9 1904

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RECEIVED
JUN 6 1904
DEPT. OF STATE

No. 1597.

CHIEF CLERK, May 4, 1904
JUN 6 1904
Department of State.

DIPLOMATIC
JUN 11 1904
BUREAU

Mr. Conger to the
Secretary of State.

Subject:

Chinese neutrality. Efforts being made to observe strictly. Russian occupation of Liao Valley, Manchuria;- its possible effect.

(Confirming telegraphic correspondence.)

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FILED

No. 1691.

Mr. Conger to the Secretary of State.

(Subject: Chinese neutrality. Mission being made to observe strictly. Russian occupation of Liao Valley. Manchuria- its possible effect. Confirming telegraphic correspondence.)

No. 1597.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 4th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your undated telegram and my reply of today, as follows:

Conger, Minister,

Peking.

Russian Government alarmed about Chinese neutrality. If occasion offers, renew representations of desire of this Government that Chinese Government observe strict neutrality and give no occasion of offense to either belligerent.

(Signed) Hay.

Secstate, Washington.

Fourth. Your telegram about neutrality, Chinese Government reiterates its promise of strict observance.

(Signed) Conger.

I have had several recent conferences with His Excellency, Na-t'ung, at present one of the most active Ministers of the Wai Wu Pu, who informs me that China is taking every possible precaution to avoid giving occasion for complaint to either belligerent, and will continue so to do.

Recently we have had considerable excitement here by reason of the Russian Minister's complaining to the Chinese Government, that he had good evidence showing that China was preparing to cede Amoy to the Japanese, in order to give them a better base of supplies for attacks upon the Russian Navy; that he knew a commissioner had already been sent there for the purpose, etc., etc. It turned out

that

No. 1507.

LEGATION OF THE UNITED STATES OF AMERICA,

PEKING, CHINA

May 4th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your unnumbered telegram and my reply of today, as follows:

(Telegram) May.

Russian Government alarmed about Chinese neutrality. It occasion offers, renew representations of desire of this Government that Chinese Government observe strict neutrality and give no occasion whatever to either belligerent.

(Signed) Conger.

Department of State,

Washington. May.

Conger, Peking.

Your telegram about neutrality, Chinese Government reiterates its promise of strict observance.

(Signed) Conger.

I have had several recent conversations with His Excellency, Na-t'ung, at present one of the most active Ministers of the Wai Wu Pu, who informs me that China is taking every possible precaution to avoid giving occasion for complaint to either belligerent, and will continue so to do.

Recently we have had unpleasantness here by reason of the Russian Minister's complaining to the Chinese Government, that he has good evidence showing that China was preparing to cede Amoy to the Japanese, in order to give them a better base of supplies for attacks upon the Russian Navy; that he knew a convention had already been kept there for the purpose, etc., etc. It turned out

that a commissioner had been sent to Amoy to settle an old Spanish claim, and that the characters as used for Spain could easily be mistaken for Japan, and that the Chinese news-gatherers for the Russian Legation had so mistaken and reported it.

Russia has been recently extending her troops into the country south and west; i. e., this side of the Liao River, and has practically occupied the railway from Newchwang to Kou-pang-tzu Junction, and up the branch to Hsin-min-t'un. This, however, is a part of Manchuria, and was included by Russia in the war zone, and this will, of course, give the Japanese an excuse, if found desirable, for moving or landing troops into the same territory.

It is reported among the Chinese that martial law is to be extended by the Russians over all that part of Manchuria south and west of the Liao River, but as nearly as I can find out their intention for the present is only to extend martial law from Newchwang across the river, to include the railway station on the southwest side.

I am satisfied that the Chinese are in earnest in their determination to observe strict neutrality, but it will not be strange if the conduct of the Russians does ~~not~~ finally goad them into a violation thereof. This, of course, can the more easily be done if the Japanese army and navy continue to meet with success.

I have the honor to be, Sir,

Your obedient servant,

Chas. Denby

that a commissioner had been sent to Peking to settle an old Russian claim, and that the claims are used for Japan could easily be mistaken for Japan, and that the Chinese Representatives for the Russian Legation had no mistake misreported it.

Russia has been recently extending her troops into the country south and west, i. e., this side of the Liao River, and has practically occupied the railway from Changchun to Kou-pang-tzu Junction, and up the branch to Ssu-p'ing-chieh. This, however, is a part of Manchuria, which was included by Russia in the war zone, and this will, of course, give the Japanese no excuse, it found desirable, for moving or landing troops into the same territory.

It is reported among the Chinese that martial law is to be extended by the Russians over all that part of Manchuria south and west of the Liao River, but as nearly as I can find out their intention for the present is only to extend martial law from Newchwang across the river, to include the railway station on the southwest side.

I am satisfied that the Chinese are in earnest in their determination to observe strict neutrality, but it will not be strange if the conduct of the Russians does not finally lead them into a violation thereof. This, of course, can the more easily be done if the Japanese army and navy continue to meet with success.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1698.

May 4, 1904.

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6
1904
DEPT. OF STATE

Mr. Conger to the
Secretary of State.

Subject:

Confirming telegram sent informing Department of release of Japanese servants of Messrs. Washburne and Little.

INDEX BUREAU
JUN 6 1904
FILED

No. 1598.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 4th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of April 28th, as follows:

Secstate, Washington.

Twentyeighth. Japanese servants of Washburn and Little have been released and arrived Chefoo to-day.

(Signed) Conger.

I am glad that this unfortunate incident has been brought to a successful termination.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 159.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN CHINA.

May 4th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to confirm my telegram of April 28th,
as follows:

Secretary, Washington.

Construction. Japanese servants of Yamaguchi and
Kuzuka have been released and arrived Chefoo to-day.

(Signed) Conger.

I am glad that this unfortunate incident has been
brought to a successful termination.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1599.

May 5, 1904.

RECEIVED
JUN 25 1904
DIV. OF ACCOUNTS DEP. OF STATE.
DIPLOMATIC
JUN 25 1904
BUREAU.

Mr. Conger to the Secretary of State.

INDEX BUREAU
REC'D
JUN 20
1904
DEPT. OF STATE

Subject:

Appropriation of $50,000. for new Legation buildings available. Receipt of Department telegram advising of.

INDEX BUREAU
JUN 30 1904
FILED

No. 1599.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 5th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor and pleasure to confirm your undated telegram to-day, as follows:
Conger, American Minister,

Peking.

Fifty thousand dollars for completion new buildings for Legation now available.

(Signed) Hay.

This will permit the buildings and approaches and artesian well to be completed as designed by Mr. Nealy, and while not so elaborate and showy as most of the other Legations here, yet it will be the best work ever done in China.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1599.

LEGATION OF THE UNITED STATES OF AMERICA,
Peking, China,

May 8th, 1900.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor and pleasure to confirm your unsealed telegram to-day, as follows:

Conger: American Minister,

Peking.

Fifty thousand dollars for completion new buildings for legation now available.

(Signed) Hay.

This will permit the buildings and appurtenances and artesian well to be completed as designed by Mr. Healy, and while not so elaborate and showy as most of the other Legations here, yet it will be the best work ever done in China.

I have the honor to be, Sir,

Your obedient servant,

[signature]

ASSISTANT SECRETARY,
MAY 12 1904

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
MAY 28 1904
BUREAU.

From PEKING,
May 11, 1904,
3:02 a. m.

Secretary of State,
Washington.

11th Your cipher telegram April 21st. Shipment of tin plate and tea lead now permitted.

CONGER.

DEPARTMENT OF STATE
MAY 11 9 54 AM 1904
CHIEF CLERK'S OFFICE

INDEX BUREAU
MAY 20 1904
FILED

Ciphered by the Chief Clerk's Office, May 11, 1904. 9:45

ASSISTANT SECRETARY'S
MAY 12 1904

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
MAY 28 1904
BUREAU

PEKING,

May 12, 1904,

8:02 a. m.

Secretary of State,

Washington.

11th. Your cipher telegram April 21st. Shipment of tin plate and tea lead now permitted.

COXE.

Received by the Chief Clerk's Office May 11, 1904. 9:45

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 25 1904
BUREAU.

ASSISTANT SECRETARY,
JUN 23 1904

No. 1600,

May 11, 1904.

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DEPARTMENT OF STATE

Mr. Conger to the Secretary of State.

Recd June 27.

Subject:

Mr. Davidson, Consul at Antung, instructed to remain at Shanghai until further orders.

(Confirming telegrams of May 4, 1904)

INDEX BUREAU
JUN 30 1904
FILED

No. 1600.

May 12, 1904.

Mr. Cooper to the Secretary of State.

Subject:

Mr. Davidson, Consul at Antung, instructed to remain at Shanghai until further orders.

(Confirming telegrams of May 4, 1904)

No. 1600.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 11th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my cipher telegram of the 4th instant, and your undated reply, as follows:

Secstate, Washington.

Fourth. Shall Davidson proceed to Antung. I advise waiting till permanence of Japan's occupation is reasonably demonstrated and Japan's wishes are known.

(Signed) Conger.

Conger, Minister,

Peking.

Yours May fourth. Suggestion approved. Davidson may wait till further orders.

(Signed) Hay.

I apprehend that the Japanese Government would have no objection to Mr. Davidson's establishing himself at once in Antung, but if this were known to the Russians they would probably feel irritated by the fact, and if, peradventure, the Russians should again secure possession of the place, Mr. Davidson would find himself in a very uncomfortable position, and probably have to leave. I have instructed him to remain at Shanghai until your further orders.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1500.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA,

May 11th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my cipher telegram of the 4th instant, and your undated reply, as follows:

Secretary, Washington.

Fourth. Shall Davidson proceed to Antung. I advise waiting till permanence of Japan's occupation is reasonably demonstrated and Japan's wishes are known.

(Signed) Conger.

Conger, Minister,

Peking.

Yours May fourth. Suggestion approved. Davidson may wait till further orders.

(Signed) Hay.

I apprehend that the Japanese Government would have no objection to Mr. Davidson's establishing himself at once in Antung, but if this were known to the Russians they would probably feel irritated by the fact, and if, peradventure, the Russians should again secure possession of the place, Mr. Davidson would find himself in a very uncomfortable position, and probably have to leave. I have instructed him to remain at Shanghai until your further orders.

I have the honor to be, Sir,

Your obedient servant,

Chas. Conger

DIPLOMATIC
JUL 1 1904
JUL. 1 1904
BUREAU

Sec. File

LEGATION OF THE UNITED STATES OF AMERICA,
PEKING, CHINA.

No. 1801.

May 11, 1904.

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ASSISTANT SECRETARY,
JUN 23 1904

Mr. Conger to the Secretary of State.

Subject:

Shipment of tin plate and tea lead from China to Japan, at first refused as contraband, afterwards permitted, likewise tobacco and cigarettes.
(Confirming telegrams sent April 20 and May 11, and Dep't telegram of April 21, 1904)

INDEX BUREAU
JUL 6 1904
FILED

No. 1881.

May 11, 1904.

Mr. Conger to the Secretary of State.

Subject:

Shipment of tin plate and tea lead from China to Japan, exclusively returned as contraband, subsequently permitted. Likewise tobacco and cigarettes.

(Confirming telegrams sent April 30 and May 11, and Dep't telegram of April 21, 1904)

No. 1502.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 11th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to confirm our recent telegraphic correspondence upon the subject of tin plate and tea lead as contraband of war, as follows:

Peking, April 20th, 1904.

Secstate, Washington.

Twentieth. Chinese Government refuses American Trading Company permission ship from Shanghai to its branch in Yokohama tin plate and tea lead, considering them contraband. This seems to me an exaggerated construction. Please cable your opinion and instruction.

(Signed) Conger.

Washington, April 21st, 1904.

Conger, Minister,
Peking.

Twentyfirst. Neither belligerent has included tin plate or tea lead in contraband lists officially promulgated. It would seem that China's attitude is not warranted. You will therefore make suitable protest.

(Signed) Hay.

Peking, May 11th, 1904.

Secstate, Washington.

Eleventh. Your cipher telegram April twentyfirst. Shipment of tin plate and tea lead now permitted.

(Signed) Conger.

The refusal to permit the shipment of these articles from Shanghai to Japan was because the Russian Military Agent at that port regarded them as probable contraband,

and

1606.

May 11th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm our recent telegraphic correspondence upon the subject of tin plate and tea lead as follows:

Peking, April 20th, 1904.

Secretate, Washington.

Twenty-sixth. Chinese Government refuses American Trading Company permission only from Shanghai to its branch in Yokohama tin plate and tea lead, considering them contraband. This seems to me an exaggerated construction. Please cable your opinion and instruction.

(Signed) Conger.

Washington, April 21st, 1904.

Conger, Minister,

Peking.

Twenty-first. Neither belligerent has included tin plate or tea lead in contraband lists officially promulgated. You will therefore take suitable protest.

(Signed) Hay.

Peking, May 11th, 1904.

Secretate, Washington.

Eleventh. Your cipher telegram April twenty-first. Shipment of tin plate and tea lead now permitted.

(Signed) Conger.

The refusal to permit the shipment of these articles from Shanghai to Japan was because the Russian Military Agents at that port regarded them as probable contraband, and

and asked that their shipment be prohibited. However, after an exchange of notes with the Foreign Office and a verbal conference on the matter, instructions were given to the Customs Officials to permit their shipment.

I enclose copies of my note to the Foreign Office, and their reply.

I ought also to state that recently, for the same reason, the Customs Officials in Shanghai refused permission for the shipment of cigarettes and tobacco to Japan, but upon representation of the matter to the Foreign Office it has decided that this class of goods is exported purely for commercial use, and therefore their exportation is allowed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to Prince Ch'ing, April 22nd, 1904.
2. The Foreign Office to Mr. Conger, April 29th, 1904.

and asked that their shipment be prohibited. However, after an exchange of notes with the Foreign Office and a verbal conference on the matter, instructions were given to the Customs Officials to permit their shipment.

I enclose copies of my note to the Foreign Office, and their reply.

I ought also to state that recently, for the same reason, the Customs Officials in Singapur refused permission for the shipment of cigarettes and tobacco to Japan, but upon representation of the matter to the Foreign Office it was decided that this class of goods is exported purely for commercial use, and therefore their exportation is allowed.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Mr. Conger to Prince Ch'ing, April 22nd, 1904.

2. The Foreign Office to Mr. Conger, April 29th, 1904.

Enclosure No. /. In Despatch No. 1601

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, April 22nd, 1904.

Your Imperial Highness:

I have the honor to call Your Imperial Highness' attention to the refusal, by the Imperial Chinese Customs in Shanghai, to permit the American Trading Company to ship either tin plate or tea lead from Shanghai to their branch house at Yokohama, Japan, on the grounds that these articles might probably be used in the manufacture of munitions of war.

Neither Russia nor Japan has included tin plate or tea lead in their officially promulgated lists of contraband, and therefore it seems clear that their shipment in the general course of trade can in no way be considered a breach of neutrality, and their prohibition is entirely unwarranted.

Moreover, neither the rules of international law nor the practice of nations impose any obligations upon neutral Powers to prevent the trade, by their citizens, in articles of acknowledged contraband; but of course they must take their own risk.

However, if China should feel that her mutual friendship and impartiality for both belligerents would make it her duty to prohibit unquestioned contraband, yet there can be no justification in the prohibition of articles like those mentioned above, which have their regular place in the general trade, and could only, under the greatest emergency, and in a small way, be used in the manufacture of munitions of war.

China ought, also, to consider that she has commercial responsibilities to other nations, and should not make uncalled-for and sweeping restrictions which would be unnecessarily

Enclosure No. 1. In Despatch No. 160

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, April 22nd, 1904.

Your Imperial Highness:

I have the honor to call Your Imperial Highness' attention to the refusal, by the Imperial Chinese Customs in Shanghai, to permit the American Trading Company to ship either tin plate or tea lead from Shanghai to their branch house at Yokohama, Japan, on the grounds that these articles might probably be used in the manufacture of munitions of war.

Neither Russia nor Japan has included tin plate or tea lead in their officially promulgated lists of contraband, and therefore it seems clear that their shipment in the general course of trade can in no way be considered a breach of neutrality, and their prohibition is entirely unwarranted.

Moreover, neither the rules of international law nor the practice of nations impose any obligations upon neutral Powers to prevent the trade, by their citizens, in articles of acknowledged contraband; but of course they must take their own risk.

However, if China should feel that her mutual friendship and impartiality for both belligerents would make it her duty to prohibit unquestioned contraband, yet there can be no justification in the prohibition of articles like those mentioned above, which have their regular place in the general trade, and could only, under the greatest emergency, and in a small way, be used in the manufacture of munitions of war.

China ought, also, to consider that she has commercial responsibilities to other nations, and should not make uncalled-for and sweeping restrictions which would be unnecessarily

necessarily detrimental to general trade.

For these reasons, my Government, although as desirous as China can possibly be, to preserve a strict neutrality, has instructed me to make respectful protest against the prohibition above mentioned, and to ask that requisite instructions be given to the Imperial Chinese Customs at Shanghai to permit the shipment of the articles named.

Requesting an early reply, I improve the opportunity to assure Your Imperial Highness of my highest consideration.

(Signed) E. H. Conger,
Envoy Extraordinary &
Minister Plenipotentiary of
the United States.

His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

necessarily detrimental to general trade.

For these reasons, my Government, although as desir-
ous as China can possibly be, to preserve a strict neutral-
ity, has instructed me to make respectful protest against
the prohibition above mentioned, and to ask that requisite
instructions be given to the Imperial Chinese Customs at
Shanghai to permit the shipment of the articles named.

Requesting an early reply, I improve the opportunity
to assure Your Imperial Highness of my highest considera-
tion.

(Signed) E. H. Conger,

Envoy Extraordinary &
Minister Plenipotentiary of
the United States.

His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 2 In Despatch No. 1601

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt of Your Excellency's letter saying that the American Trading Co. have in Shanghai some tin plate and some tea lead which they proposed to ship to their branch establishment in Yokohama, but the Shanghai Customs Office would not permit the shipment of this because it might be made into munitions of war; that such goods are of a commercial nature and of constant necessary use, and are of no practical use whatever as articles of war; and you hoped that we would give orders for its release.

We have the honor to state that this Board has already instructed the Inspector General of Customs to give orders to the Customs Officials in the said place to examine and release the goods in question.

As in duty bound, we make this reply to Your Excellency's letter, that you may be informed of the matter, and we avail ourselves of the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Third Moon, 14th Day. (April 29th, 1904).

Enclosure No.2 In Despatch No.1601

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt of Your Excellency's letter saying that the American Trading Co. have in Shanghai some tin plate and some tea lead which they proposed to ship to their branch establishment in Yokohama, but the Shanghai Customs Office would not permit the shipment of this because it might be made into munitions of war; that such goods are of a commercial nature and of constant necessary use, and are of no practical use whatever as articles of war; and you hoped that we would give orders for its release.

We have the honor to state that this Board has already instructed the Inspector General of Customs to give orders to the Customs Officials in the said place to examine and release the goods in question.

As in duty bound, we make this reply to Your Excellency's letter, that you may be informed of the matter, and we avail ourselves of the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Third Moon, 14th Day. (April 29th, 1904).

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1602.

May 11, 1904

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DEPT. OF STATE

Mr. Conger to the Secretary of State.

Subject:

Confirming telegram of May 4, 1904, notifying Department of arrival of portrait of Empress Dowager at San Francisco May 28, 1904.

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FILED

No. 1693

May 11, 1904

Mr. Conger to the Secretary of State.

Subject:

Confirming telegram of May 4, 1904, protesting against Department of arrival of portrait of Empress Dowager at San Francisco May 20, 1904.

No. 1602.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 11th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my cipher telegram of the 4th instant, as follows:

Secstate, Washington.

Fourth. Foreign Office requests us telegraph that portrait of the Empress Dowager for St. Louis Exposition, afterwards to be presented to the Government of the United States, arrives at San Francisco steamship Siberia May twentyeighth.

(Signed) Conger.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1697

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA

May 11th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I confirm my cipher telegram of the 4th instant, as follows:

Secretate, Washington.

Fourth. Foreign Office requests us telegraph that portrait of the Empress Dowager for St. Louis Exposition, afterwards to be presented to the Government of the United States, arrives at San Francisco steamship Siberia May twentyeighth.

(Signed) Conger.

I have the honor to be, Sir,

Your obedient servant,

E.H. Conger

ASSISTANT SECRETARY.
MAY 13 1904

CHIEF CLERK,
MAY 12 1904
Department of State.

TELEGRAM RECEIVED IN CIPHER

DIPLOMATIC
MAY 28 1904
BUREAU.

From PEKING,

May 12, 1904,

2:29 a. m.

Secretary of State,

Washington.

12th Russians prohibit Miller code telegrams from New Chwang. Can be arranged only at St. Petersburg.

CONGER.

INDEX BUREAU
MAY 20 1904
FILED

Deciphered by the Chief Clerk's Office, May 12, 1904. 9:25

TELEGRAM RECEIVED IN CIPHER.

CHIEF CLERK,
MAY 12 1904
Department of State.

DIPLOMATIC
MAY 13 1904
BUREAU.

From PEKING,
May 12, 1904,
1:39 a. m.

Secretary of State,
Washington.

12th Send us hundred passports at once.

C O N G E R.

INDEX BUREAU
JUN 6 1904
FILED

Ciphered by the Chief Clerk's Office, May 12, 1904. 9:30

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUL - 2 1904
BUREAU.

No. 1603.

May 12, 1904

INDEX BUREAU
JUN 20 1904
DEPT. OF STATE

ASSISTANT SECRETARY,
JUN 23 1904

Mr. Conger to the Secretary of State.

FOR RELS. 1904.

Subject:

Whangpoo Conservancy Board. German Consul General at Shanghai appointed permanent member of and another appointed substitute. Instructions for our member of Board requested.

INDEX BUREAU
JUL 8 1904
FILED

No. 1603.

May 12, 1904

Mr. Conger to the Secretary of State.

Subject:

Shanghai Conservancy Board. German Consul General at Shanghai appointed permanent member of and another appointed substitute. Instructions for our member of Board requested.

.1603.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

CHIEF CLERK,
JUN 30 1904
Department of State.

May 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

On the 3rd instant the German Minister, by a circular, informed his Colleagues that the German Consul General at Shanghai, Dr. Knappe, had been appointed by his Government, a permanent member of the Whangpoo Conservancy Board, and that an engineer by the name of Schellhoss had been appointed as a supplementary member or substitute.

This would seem to be the creation of a permanent proxy for the German member; a proceeding for which the Regulations make no provision, and for which I apprehend there is no precedent in the general practice of such organizations. I suggest that our member of the Board be instructed in accordance with whatever view the Department may take of the question.

In this connection your attention is called to Article VI of the Regulations which fixes the term of office of the members designated by the several Governments at one year. Should not, then, the Representative of the United States be now reappointed?

The Viceroy at Nanking recently promised Consul General Goodnow that he would select the appointee to be named by the Chinese Government, on or before May 13th, which is to-morrow; but my experience with several positive promises of the same kind, made me by the Foreign Office here, does not inspire much faith in the fulfillment of this.

I am inclined to believe that the Representatives of the French Government here and at Shanghai are quietly

encouraging

May 12th 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

On the 3rd instant the German Minister, by a circular, informed his Colleagues that the German Consul General at Shanghai, Dr. Knappe, had been appointed by his Government a permanent member of the Whangpoo Conservancy Board, and that an engineer by the name of Schellhoss had been appointed as a supplementary member or substitute.

This would seem to be the creation of a permanent proxy for the German member; a proceeding for which the Regulations make no provision, and for which I apprehend there is no precedent in the general practice of such organizations. I suggest that our member of the Board be instructed in accordance with whatever view the Department may take of the question.

In this connection your attention is called to Article VI of the Regulations which fixes the term of office of the members designated by the several Governments at one year. Should not, then, the Representative of the United States be now reappointed?

The Viceroy at Nanking recently promised Consul General Goodnow that he would select the appointee to be named by the Chinese Government, on or before May 12th, which is to-morrow; but my experience with several positive promises of the same kind made me by the Foreign Office here does not inspire much faith in the fulfillment of this.

I am inclined to believe that the Representatives of the French Government here and at Shanghai are quietly encouraging

encouraging the Chinese Government in its persistent delay in the appointment of its Representative on the Commission, but am at a loss to know for what particular reasons.

I have the honor to be, Sir,

Your obedient servant,

E. A. Conger

encouraging the Chinese Government in its protracted delay in the appointment of its Representative on the Commission, but am at a loss to know for what particular reasons.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 25 1904
BUREAU.

No. 1604. May 12, 1904.

ASSISTANT SECRETARY,
JUN 23 1904

INDEX BUREAU
RECEIVED
JUN 20 2
1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

Acted June 27

Subject:

Russian Authorities at Newchwang prohibit sending of cipher telegrams.

(Confirming telegram sent off today.)

INDEX BUREAU
JUN 30 1904
FILED

No. 1600. May 13, 1904.

Mr. Cooper to the Secretary of State.

Subject:

Russian Authorities at Vancouver prohibit sending of cipher telegrams.

(Confirming telegram sent today.)

No. 1604.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my cipher telegram of to-day as follows:

Secstate, Washington.

Twelfth. Russians prohibit Miller code telegrams from Newchwang. Can be arranged only at St. Petersburg.

(Signed) Conger.

This prohibition not only applies to Consul Miller's telegrams, but to all messages in cipher.

As Newchwang is now practically in the field of military operations, it can hardly be expected that the Russian Authorities would permit to be left open any avenue for the communication of information concerning their movements, which, though intended for neutral Governments only, might, having once gone out, come into the possession of their enemy; hence the action of the Russian Authorities may not be considered unreasonable. However, nothing can be done about it here.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 760.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA

May 18th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my cipher telegram of to-day as follows:

Secretary, Washington.

Twelfth. Russians prohibit Miller code telegrams from Newchwang. Can be arranged only at St. Petersburg.

(Signed) Conger.

This prohibition not only applies to Consul Miller's telegrams, but to all messages in cipher.

As Newchwang is now practically in the field of military operations, it can hardly be expected that the Russian Authorities would permit it to be left open any avenue for the communication of information concerning their movements, which, though intended for neutral Governments only, might, having once gone out, come into the possession of their enemy; hence the action of the Russian Authorities may not be considered unreasonable. However, nothing can be done about it here.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 20 1904
BUREAU.

No. 1605.

May 12, 1904.

INDEX BUREAU
RECEIVED
JUN 20 1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

Subject:

Additional supply of Blank Passports requested. Confirming telegram of today.

INDEX BUREAU
JUN 23 1904
FILED

No. 1605.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have to confirm my cipher telegram of to-day as follows:

Secstate, Washington.

Twelfth. Send us hundred passports at once.

(Signed) Conger.

By an oversight blank passports were not asked for in our last requisition for supplies, and we unexpectedly find our supply nearly exhausted; hence the necessity of my telegram.

There has been an unusually large demand for them of late, which is likely to continue. Therefore on receipt of this I beg that you will send us two hundred more.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 152.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have to confirm my cipher telegram of to-day as fol-

lows:

Secretary of State, Washington.

Twelfth. Send us hundred passports at once.

(Signed) Conger.

By an oversight blank passports were not asked for in our last requisition for supplies, and we unexpectedly find our supply nearly exhausted; hence the necessity of my telegram.

There has been an unusually large demand for them of late, which is likely to continue. Therefore on receipt of this I beg that you will send us two hundred more.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED
JUN 20 1904
DIV. OF ACCOUNTS & DISBURSING OFFICER

No. 1606.

May 13, 1904.

INDEX BUREAU
RECD.
JUN 20 1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

Subject:

Transmitting signed vouchers for final payment of indemnity award.

(No. 1580 of April 19, continued)

INDEX BUREAU
JUN 21 1904
FILED

No. 1606.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1580 of April 19th last, I have the honor to return herewith further signed vouchers for the final payment of 25% of the indemnity awarded to sufferers from the Boxer uprising of 1900, as follows:

Charles B. Sherman,

W. S. Ament,

Mary L. King,

W. A. P. Martin,

George W. Verity,

R. M. Tismar,

Rachael R. Benn,

South Chihli Mission,

William S. Ament.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Above vouchers rec'd. & filed
in Bureau of Accts,
June 20-1904.

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC
MAY 14 1904
BUREAU.

From PEKING,

May 14, 1904,

5:35 a. m.

Secretary of State,

Washington.

14th Japanese Minister by direction of his Government yesterday again urged upon Prince Ching the necessity of China's preserving the strictest neutrality. The Prince replied that it could and would be done, and he would instruct by telegraph the Chinese Ministers to so inform foreign governments.

C O N G E R.

DEPARTMENT OF STATE
MAY 14 9 21 AM 1904
CHIEF CLERK'S OFFICE

INDEX BUREAU
MAY 20 1904
FILED

Deciphered by the Chief Clerk's Office, May 14, 1904. 9:20

TELEGRAM RECEIVED IN CIPHER

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1607.

May 14, 1904

Amd Despr.

INDEX BUREAU RECEIVED JUN 20 1904 DEPT. OF STATE

ASSISTANT SECRETARY, JUN 23 1904

Mr. Conger to the Secretary of State.

FOR RELS. 1904.

Subject:

Revised Chinese Mining Regulations, transmitted. with copy of note to Foreign Office stating that they cannot be accepted as fulfilling Treaty Provisions. Instructions will be awaited before further action.-

INDEX BUREAU SEP 29 1904 FILED

No. 1607.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith a copy of the recently published Revised Mining Regulations for the Chinese Empire. A cursory review will show that they are impracticable, not at all in accordance with the letter or spirit of Article VII of our late Treaty, and instead of "attracting" will repel foreign capital from embarking in mining enterprises.

Without going into details I have contented myself with notifying the Foreign Office that these Regulations cannot be accepted as fulfilling the provisions of the Commercial Treaty signed on October 8th last, and I enclose a copy of my note herein.

The German and British Ministers have each filed similar protests.

I shall await your instructions before taking any further action.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Revised Mining Regulations.
2. Mr. Conger to Prince Ch'ing, April 15th, 1904.

DEPARTMENT OF THE INTERIOR,
RECEIVED
AUG 11 1904
P. & M. DIVISION.
3829 | MISCLS.

U. S. GENERAL LAND OFFICE
RECEIVED AUG 12 1904

144126

Bureau

MEMORANDUM.

DIPLOMATIC
JUL 6 1904
BUREAU.

DEPARTMENT OF STATE
JUL 6 5 33 PM 1904
CHIEF CLERK'S OFFICE

Secretary of State.
JUL 2 1904

File Copy

Mr. Conger's No. 1607 of May 14, 1904.

To C. D. Talcott July 7

Dear Mr. Secretary:

I would suggest that when replying to Mr. Conger, it would be advisable for the Department not to confine itself to approving simply his protest, but rather that useful suggestions be transmitted to him, looking towards bringing the regulations for mining in China in accordance with the provisions of the British Treaty of 1902 (Art. IX) and the United States Treaty of 1903 (Art. VII). Although neither of these two articles expressly states that the revision of existing mining regulations in China was to be done after discussion and agreement with the other contracting Power, such consultation and agreement were certainly contemplated.

I would therefore suggest that Mr. Conger's despatch under acknowledgment, together with copies of the previously issued mining regulations of China, should be sent to the Director of the Geological Survey, and that he should be asked if he would kindly have the revised regulations examined and make such suggestions as would tend to bring them in line with the provisions of the British and United States treaties. I would also send him in that connection

U. S. GENERAL LAND OFFICE
RECEIVED AUG 12 1904

144126

copies of Article IX of the British Treaty and Article VII of the American.

On receipt of Mr. Walcott's reply, I would transmit it to Mr. Conger, and instruct him to submit it to the Chinese Government, and request further that the new revision be only submitted to the Emperor of China for his approval after further consultation with him and his British colleague.

I enclose herewith, for transmission to Mr. Walcott, copies of the Mining Regulations of China above referred to, and also copies of Art. IX of the British Treaty and Article VII of the American.

W. W. Rockhill

June 30, 1904.

Approved.
July 1. 1904
John Hay

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No. 48.

CHINA.

REGULATIONS FOR MINES AND RAILWAYS.

APPROVED BY THE EMPEROR OF CHINA NOVEMBER 19, 1898.

[Translation.]

1°. Mines and railways are managed in three different ways:
Management by officials of the government;
Management by merchants;
Joint management by officials and merchants.
Albeit, no mode is better than the management by merchants.

Exclusive of the enterprises already begun before the establishment of the General Administration, the leading idea must henceforth be to have as many managements by merchants as possible. The authorities shall take steps to develop these enterprises and to protect them by all means, but always without it being permissible for them to interfere with the rights of the companies.

2. The General Administration has secured through a report to the Throne, that all uncompleted contracts for enterprises either by officials or by merchants, anterior to the date of the Imperial Decree creating the General Administration, shall be passed on and that they must be deferred until either sanctioned or rejected, as the case may be. They shall not be held (before that) to have been finally granted.

All mines or railways opened in the various provinces subsequent to the establishment of the General Administration—either those of officials or those of merchants, either Chinese or foreign, shall comply with the regulations fixed after presentation to the Throne of the report of our General Administration.

Applications in whatever province made in compliance with mining or railway regulations of an earlier date than that of the establishment of the General Administration, shall not be granted

3. Mining and railway questions in the three Manchurian Provinces, in Shan-tung and at Lung-Cho being affected by international questions, shall not hereafter be invoked as precedents, as concerning the Chinese capital or the foreign.

4. Mines and railways are essentially separate undertakings. It is permissible to treat them separately and not jointly. Railway company regulations for the opening of mines along their roads may not be invoked as precedents for requests for mining rights. As to branch railways to mining hills, permission to build which to connect with waterways has been granted for the purpose of carrying the produce of the mines, such lines may only be carried as far as the nearest water communication, and it is not allowed them to carry passengers or merchandise, or to indirectly interfere with the rights ceded to railways. It will be necessary furthermore to have submitted beforehand plans of the localities where are to be built branch railways for mining purposes, and to report them to the General Administration which will examine them.

5. All those receiving a mining or railway concession shall establish schools for technical training. Already a report has been submitted to the Throne on this subject looking to its general application, and it must of course be carried out in a uniform manner.

6. When applications are made by the gentry or merchants of any of the provinces to the local officials for concessions for mines or railways, the said local authorities shall in the first place inquire into the character and standing of the applicants, if their families are possessed of property and if their applications contain nothing contrary to the Regulations enacted after submission to the Throne. An official communication may then be addressed by the local authorities to the General Administration to advise it and so that it may take action after inquiry. The local officials have no power to grant such applications.

If applications are made directly to the General Administration, it must not omit to request by an official communication the local authorities at the home of the interested gentry to make an inquiry. If there

is absolutely no doubt concerning them, the application shall be granted. By this means fraud and intrigue will be prevented.

7. When a mining or railway company shall have surveyed and determined the land on which it must necessarily pass in any given locality, the local authorities shall in the first place notify all the people by means of proclamation, and they shall make wanton opposition. As to the land purchased by the company, if there happen to be dwellings or tombs on it, means must be found to get round them so as not to offend the feelings of the people and so as to prevent quarrels. There must be neither acts of violence or constraint.

8. When the sanction of the General Administration shall have been given to open mines or railways, work must be begun on them within six months from the date of authorization, no matter whether it be Chinese or foreign capital. As soon as permission to begin work shall have been granted, if this is delayed and if the date of beginning work is not made known by a report, the sanction will be withdrawn. If it is shown that the delay was unavoidable, this rule shall not apply. Previous notice is, moreover, necessary.

9. In securing capital, every effort must be made to get the largest proportion possible of Chinese. Regardless of the way the scheme is put on the market, the lump sum needed for the undertaking must be estimated and there must be in the first place secured and as a basis of operations three tenths of this amount by Chinese. Only when this has been done foreigners may be invited to buy shares or foreign money may be borrowed. If there is no proportion of the capital furnished by Chinese and if there is only stock bought by foreigners or foreign capital lent, no sanction will be given.

10. As regards foreign loans, it shall be absolutely necessary to send a preliminary request to the General Administration, which will after examination issue a certificate stating its approval. Only then the merchant shall have the right to make an agreement for the loan. It shall also be stated that the loan is made by a merchant and to be repaid by merchants, and that the Chinese Government in no wise accepts responsibility. If the sanction of the General Administration has not been obtained and a private agreement for a loan privately made with foreign merchants, the General Administration shall hold them to be void, even though the agreement has already been signed.

11. When a draft contract for a foreign loan has been drawn up by a company, it must first be sent to the General Administration for its approval. If it does not conform to the regulations drawn up by the General Administration and approved by the Throne, said contract shall be held void, and a new draft shall be ordered prepared. If the parties cannot reach after further discussion a definite understanding, negotiations may be entered into with merchants of another nationality. If foreign merchants enter into private arrangements for loans and thereby suffer loss, they shall not address themselves either to the Tsung-li Yamen or to the General Administration to make charges and seek the recovery of their money.

12. When a duly organized Chinese company is authorized to make foreign loans, it shall be necessary in accordance with the established rule that the General Administration give official notice thereof to the Tsung-li Yamen, which shall address a despatch to the Minister at Peking of the nation concerned, and only after the latter's official reply will the decision be held to be final.

When foreign merchants are desirous of lending money to such a company, it will also be necessary to inform the Minister of their nationality residing at Peking, so that the latter may address the Tsung-li Yamen, which will by letter ask the General Administration if it has authorized said company to contract a foreign loan. Only when the reply to the above despatch has been received shall the operation be considered valid. Money lent in any other way will be held to be a private loan (unauthorized).

13. In order to protect the sovereign rights of China, the administrative control of all mines and railways, ~~irrespective~~ of the amount of foreign capital involved, must remain in the hands of the ~~foreign~~ merchants. Nevertheless all the accounts of the companies must be open to the inspection of foreign stockholders as a proof of ~~honesty and justice~~.

14. When a person is promoting a mining or railway undertaking and shall state that he has got together a certain money capital and stock, said money capital must first be proved to exist so as to prevent fraud.

15. In the localities in the various provinces in which there are mines or railways, cases will unquestionably arise when the intervention of the local authorities will be asked for. In case of opposition or obstacles by property owners or gatherings of laborers, as soon as the company shall notify the competent local authorities, they shall make suitable proclamations and shall maintain order, without any attempt at evasion. They shall also prohibit exactions on the part of agents of the Yamens. If they do not give efficacious protection, the company may address a complaint to the General Administration so that it may, after duly establishing the facts, make a denunciation to the Throne.

16. All disputes on questions of interest between companies or all matters detrimental to the interests of a company shall be equitably tried by the local authorities nearest the locality, so as to prevent injury being done to any one of the parties. If the decision reached is not just, appeal may be made to the General Administration to examine carefully the case and settle it according the protection to which the parties are entitled.

In case of disputes between Chinese and foreign merchants, the two parties shall appeal to arbitrators, who shall discuss and settle the matter. If the arbitrator's decision is not accepted, other persons not interested in the matter may be appealed to, so that they settle the matter justly. The Governments of the two countries will not interfere.

17. When foreigners employed in mines or railways shall proceed to different places to study and survey them, the local authorities shall be directed to efficaciously protect them, and they must not evade this duty. If some accident should happen, the local authorities shall alone be responsible.

18. If Chinese concessionaries of mines or railways have furnished of their own means a capital of 500,000 taels and upwards, and if it is established that said amount has been applied to the works, or if they have taken an active part in promoting the enterprise, and the Chinese-held stock is in reality one half, rewards shall be asked for them, in accordance with the rule concerning persons encouraging others to contribute money in times of public calamities. This in way of encouragement.

19. Either in case of a personal or joint stock enterprise, it will always be allowable to make it a monopoly. As to the number of years for which it shall run, that shall be settled at the proper time according to the importance of the enterprise and the sources of profit.

always be allowable to make it a monopoly. As to the number of years for which it shall run, that shall be settled at the proper time according to the importance of the enterprise and the sources of profit.

20. In all localities traversed by a railway, customs stations shall be established for the levying of duties, and dues on mining products at the place of production and at the ports. The General Administration shall, in conjunction with the Board of Revenue, draw up special regulations to be applied after submission to the Throne. As to the share of profits to be paid into the Public Treasury, it shall be 1/5 for railways and 1/10 for mines, said shares to be kept apart and paid into the Board (of Revenue).

21. The General Administration shall have the right to call for ~~at any time~~ all statements, reports, accounts etc., of the various companies to examine them, or to send persons to examine them on the ground.

22. All the detailed regulations at present in force in all places for mines or railways shall be sent collectively to the General Administration to be examined and approved. Forms shall be drawn up by the General Administration and sent to each of the Provinces, and on them shall be entered at the end of each year detailed reports on the management of all the mining and railway companies, which shall be sent to the General Administration for examination.

Presented to the Throne and approved the 6th day, 10th moon, 24th year Kuang-hsü (19 November 1898.)

~~Translated from~~ *Documents Diplomatiques, China, 1898-1899*, pp. ~~108-109~~.

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No. 54.

CHINA.

EXPLANATORY AND ADDITIONAL REGULATIONS FOR MINES AND MINING.[a]

[a] From British Blue Book, China, No. 1 (1900), p. 324–326.

IMPERIAL RESCRIPT, JULY 30, 1899.

[Translation.]

Whereas a joint Memorial was presented on the 19th November, 1898, submitting Regulations for mines and railways; and it was explained therein that future action should depend on circumstances, and that where additions and alterations were found to be expedient, they should, after careful investigation into the requirements of the case, be embodied in further Memorials and put in force;

And whereas with regard to railway matters, a joint Memorial was presented on the 13th December, 1898, submitting a general scheme in which the various undertakings were distinguished in order according to their urgency;

And whereas both these Memorials were approved by the throne, and circulated for general guidance;

And whereas since the opening of mines was sanctioned, various explanations of and additions to the former Regulations have been found to be necessary in this department also:

Now, therefore, memorialists submit as follows:—

When the State, which treats all men with equal kindness, allows mining operations to be undertaken by Joint-stock Companies composed of Chinese and foreign merchants, the intention is that such merchants should obtain a profit which is within the reach of all; it is not intended that they should be allowed to grasp the profit of a monopoly. Now, at present, when Chinese and foreigners apply for mining Concessions, as the Regulations allow the Companies to decide after survey in what places minerals exist, they invariably indicate only vaguely that such-and-such Prefectures, or such-and-such districts of a province, without indicating clearly certain places in certain districts ("hsien"), and specifying the number of miles included. The result is, that dishonest traders are allowed to conspire in bogus schemes and obtain a monopoly by unfair means, and that honest and *bonâ fide* gentry and merchants draw back and keep in retirement, having no motive to exert themselves. This result is totally at variance with the original intention of the Concessions, and it is imperatively necessary that definite limits should be laid down.

Setting aside, therefore, Concessions already sanctioned, which will continue to be treated according to Agreement, in future each applicant for permission to conduct mining operations must specify a certain place in a certain district, and will not be allowed to indicate several places at the same time, or to vaguely indicate a whole Prefecture or a whole district. Thus, monopoly will be checked, and profits made open to all.

Secondly, the former Regulations provide that, in order to preserve sovereign rights, the control of all joint Chinese and foreign Companies must rest with the Chinese merchants, and there is also a clause providing that when three-tenths of the capital has been provided by Chinese-owned shares, foreigners can then be invited to buy shares in the concern.

Although this provision was designed to develop and encourage enlightened progress, yet as the disproportion of three Chinese shares to seven foreign shares would tend to give the balance of power to outsiders, and gradually, as it were, to let the host be silenced by the clamour of the guests, it is necessary to rectify the original rule.

Setting aside, therefore, Concessions already sanctioned, in future no undertaking can be commenced unless the shares held by Chinese

clamour of the guests, it is necessary to rectify the original rule.

Setting aside, therefore, Concessions already sanctioned, in future no undertaking can be commenced unless the shares held by Chinese and foreigners respectively are each one-half of the whole, in order to avoid bias.

The management shall remain, as before, in Chinese hands, and no application on the part of foreigners to conduct operations not under Chinese management shall be entertained.

Thirdly, the former Regulations provide that in the case of applications made by gentry or merchants in the provinces for permission to mine, the local authorities must see that such proposals are not contrary to the Regulations before submitting them to the decision of the General Board, and must not take upon themselves to grant the applications. Also that, in the case of applications made to the General Board direct, inquiries must first be made from the authorities of the province before the proposals are sanctioned, in order to prevent bogus schemes. The intention of the Regulations is that, when Chinese subjects undertake mining operations, they have to wait until inquiries are made and permission granted before inviting the co-operation of foreign shareholders, and that by this means only abuses can be prevented.

If, before application is made, or before permission is granted, a foreign partnership is entered into to exploit the mines of a certain place, and afterwards, when inquiry is made, it is found that there are many objections in the way, and that it is impossible to carry out the undertaking, the merchants concerned only incur fruitless expenditure in surveying, &c., and not only is a want of consideration displayed, but bogus schemes and swindles are not got rid of. Here, too, the original rule requires explanation and addition.

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In future, therefore, when Chinese merchants apply for mining Concessions, they must wait until it is ascertained that there are no objections in the way, and until permission has been granted, and then only are they at liberty to invite foreign shareholders and enter into Agreements. After this, again, their Agreements must be submitted for investigation and approval before operations can be commenced. If partnerships are first formed, and applications submitted afterwards, such applications shall all be refused.

Fourthly, the present Regulations provide that all enterprises must be commenced within six months from the date of sanction, under penalty of cancellation, but it is also provided that special cases are excepted from this rule. The result is that pretexts for delay are advanced so as to make a show of marking out claims without commencing genuine operations, and it is now necessary to define a strict limit of time.

From the date of sanction the total limit shall be ten months, and no matter whether there are any special reasons or not, if this period is exceeded without operations being begun, the sanction given shall be cancelled. The local authorities may then intrust the undertaking to other persons, and the original applicants cannot dispute their rights.

In other respects the former Regulations shall still hold good, and mines which have been already opened shall remain, subject to the old system, so as to avoid complications.

If these proposals are honoured by the Imperial sanction, memorialists will issue general instructions accordingly.

The instructions of their Imperial Majesties the Empress-Dowager and the Emperor are humbly requested on the above explanatory and additional Regulations for mining.

The above Memorial has been drafted by the General Board for Railways and Mines, and presented in conjunction with the Tsung-li Yamên.

Imperial Rescript, dated the 30th July, 1899: "Let it be as proposed."

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No. 56.

CHINA.)

RULES AND REGULATIONS FOR MINING ISSUED BY THE CHINESE GOVERNMENT, APRIL, 1902.

[Translation]

(1) All persons intending to engage in mining, whether with native shareholders or by borrowing foreign capital, must first of all clearly petition the Foreign Office and present the petition in person, or request the viceroy or governor of their respective provinces to forward their application to this board, and await an official reply. Whenever permission to mine is given, a certificate will be granted, without which no mining operations can be undertaken.

(2) When such applications are approved by the Foreign Office, that office will refer the application to the bureau of mines and railways for approval. On receiving from the head office a reply in the affirmative, the Foreign Office will advise the bureau of mines and railways to issue a permit, after receipt of which mining operations may be commenced. Fees for such permits will be charged at the rate of 1 per cent on the capital, which must be paid to that bureau for office expenses.

(3) The applicant who originally applies for a permit for mining must himself carry on the matter; he can not sell it to someone else. [It is not transferable.] In case he desires to sell out before or after he has begun operation, the original applicant must, with the transferee, apply again to the Foreign Office, according to articles 1 and 2, and put the matter on record. When this has been complied with, then the transfer can be made.

(4) If the owner of the land can not come to terms with the mining parties, the original petitioner should first parley with him, agree on a price, and have it recorded. It should not be a private (or secret) transaction. If, for Government reasons, the land should be mined and the owner of the land is obstreperous, he should be made to yield to the wishes of the Government. In such a case, the officials shall pay the owner a reasonable price, so that mining can be begun at will.

(5) Applicants for concessions may be Chinese or foreigners, or Chinese and foreigners in partnership; it makes no difference. But the land being Chinese soil, and permission to mine being granted by the Chinese Government, it behooves all who undertake mining operations to respect and abide by the rules and regulations of this Government. If trouble of any kind arises, the Chinese Government can use its sovereignty to make a settlement.

(6) According to the valuation of the vein opened a tax must be paid, as follows:

On 100 taels' ($68) worth of coal, iron, antimony, alum, borax, etc., 5 taels ($3.40), or 5 per cent.

On kerosene, copper, lead, tin, sulphur, cinnabar, etc., 10 per cent.

On gold, silver, spelter, quicksilver, etc., 15 per cent.

On diamonds, crystals, etc., 25 per cent.

Ores which are not included in the above list shall pay a tax according to the nearest mineral mentioned.

There is still to be an export duty at the treaty ports, but no likin. The above amount is to form a distinct revenue, for which the customs are to open a separate account.

(7) Every company receiving a permit must begin work within twelve months. After that limit the permit will be canceled and a new concession given. The fact will be advertised in all the native and foreign papers.

(8) A railway for transport may be built from the mine to the nearest port or to the nearest trunk line.

(9) A mining school shall be started near to the mine, the expense to be borne by the company.

(10) All materials and mining machinery from abroad shall pay an import duty only at the port; there shall be no likin. Whatever material is procured inland shall be given a free transit pass, if it is

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(10) All materials and mining machinery from abroad shall pay an import duty only at the port; there shall be no likin. Whatever material is procured inland shall be given a free transit pass, if it is found to be really for use at the mines. But smuggling of any kind will be heavily fined.

(11) The company must report to the Foreign Office when mining engineers are engaged, so that word can be sent to the viceroys and governors to instruct the local authorities to give them adequate protection. In case of trouble the local authorities will be held responsible. In disturbances caused through the purchase of land, opening a mine, or by the workmen, the local officials must issue a proclamation and restore order. If any malpractice is discovered they will surely be impeached and no leniency will be shown.

(12) Mining land belonging to the people may be purchased at the market value, but Government land must be leased. The new owner shall pay a land tax, as is customary. Only land needed for sinking shafts or other mining purposes shall be occupied.

(13) In buying land the company must pay a fair price, and not appropriate the land by force; nor must the owners raise their price to excess. Putting obstructions in the way on account of "feng-shui," etc., will not be allowed. In case the owner prefers to take shares rather than money for his land, this may be done.

(14) Houses and graves are to be avoided. But if the land to be mined has houses or graves on it, the original owner should be well compensated and a removal effected.

(15) There should be Chinese police to guard the mines, the expenses to be met by the company. Foreigners should have charge of the machinery and accounts, but all other employees should, as far as possible, be Chinese, and should be well paid. In case of accident to the workmen in the mines, their familes should be compensated.

(16) Chinese who have studied mining abroad, or who are merchants abroad and wish to invest in mines in China, may report to the Foreign Office. Students who are successful in prospecting will be recommended for imperial honors.

(17) Those investing money in mining will be protected, but the Government will not be responsible for losses, nor for money borrowed from foreigners. Let the merchant borrow from some other merchant to repay the foreigners. It is no concern of the Government.

(18) Accounts must be made up each year, and of the net gain 25 per cent shall be paid as royalty to the Chinese Government.

(19) All companies having already received concessions or begun work may follow their regulations, except in article 6 of the present rules. New companies must adhere to these rules.

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U. S. GENERAL LAND OFFICE
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Enclosure No./ In Despatch No./607

REVISED MINING REGULATIONS.

This memorial is reverently submitted, proposing for temporary adoption the following set of Mining Regulations, which has been drawn up, and the examination of which by Your Imperial Majesties is humbly requested.

In the memorial proposing for adoption certain Railway Regulations, which memorial was presented by this Board in the Tenth Moon of the XXIX Year of Kuanghsu (Nov.- Dec.1903) we said:

"As to Mining Regulations we have already received an Imperial Edict directing Liu K'un-i and Chang Chih-tung to make a selection from the Mining Regulations of various countries. So far Chang Chih-tung has not yet come to a decision, and this Board ought for the present to propose a set of regulations to be put into operation experimentally." In response we received an Edict saying: "Let it be as proposed." "Reverently Received: Let it be reverently obeyed." All of this is a matter of record.

Chang Chih-tung has now returned to his post, and we hear that he has bought a collection of Western books on mining, the translation of which will yet require some time. This Board having by an Imperial Edict been given direction of Railway and Mining Affairs, has special responsibility with regard to this matter. The operation of mines is being gradually undertaken, and merchants are clamoring for concessions. If then we do not agree upon some regulations it will be difficult to secure uniformity in our granting or withholding of the concessions asked. Moreover the matter is one which intimately concerns our foreign relations, and we ought therefore, the more carefully and minutely to investigate the subject that we may have some definite course to follow. We find that in the Tenth Moon of the XXIV Year of Kuanghsu (Nov.-Dec.1898) the

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the General Bureau of Railways and Mines submitted twenty-two regulations dealing with mines and railways together; and that in the Second Moon of the XXVIII Year (March - April 1902) the Board of Foreign Affairs in a memorial submitted a set of 19 regulations. An examination of these two sets of regulations shows that under present circumstances there is need of revision and additions, and the members of the Board, having consulted together, have prepared a set of 38 mining regulations which we propose for adoption temporarily, and herewith submit the same for the inspection of Your Majesties. Should Your Majesties sanction them, this Board will circulate them throughout all the provinces for their observance, and will also communicate them to the Board of Foreign Affairs that they may be transmitted to the Ministers of the various foreign countries in Peking to be placed on file. Afterwards when Chang Chih-tung shall have compiled a special work upon the subject, it will have to be taken up again in connection with him so that there may be no lack of uniformity.

As in duty bound we have reverently set forth the reasons for issuing Revised Mining Regulations for temporary use and submit this memorial, praying that Her Imperial Majesty, the Empress Dowager, and His Imperial Majesty, the Emperor, will examine the same and issue instructions.

The above memorial was submitted on the 1st of the Second Moon, the XXX Year of Kuanghsu (March 17th, 1904) and on the same day an Edict was received, saying:

"Let it be as proposed." Respect This."

REGULATIONS.

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Railway Regulations have already been submitted in a memorial by us and adopted. As to Mining Regulations, already

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2. All who apply for mining concessions must obtain permits from this Board and must not operate the mines before such permits have been obtained. Permits are divided into two classes; (a) Prospecting Permits, and (b) Permits for Working Mines.

3. Only when mining lands are the property of the State, no matter what the kind of ore produced by them, can a permit(certainly) be granted. If the lands be private property, an agreement must first be made with the owner as to a price or his consent obtained to taking shares instead, and a report to that effect made and recorded, when only may a permit be requested. If the mining land in question be a place which the Government ought to develop, the officials must buy the land at a fair valuation, and the owner must not oppose.

4. No matter whether the undertaking is to be managed by Chinese or by Chinese and foreigners together, when application is made for a Prospecting Permit or a Permit to work a mine, the petition must be prepared in strict accordance with the requirements detailed below, and may be presented

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(a) The petition shall state clearly the surname and personal name of each petitioner, and to what province and district he belongs, the number of the petitioners, and whether the petitioners are really to operate themine themselves or intend to dispose of it to others.

(b) Should the applicants consist of Chinese and foreigners who are taking shares together, the application must state clearly to what countries the foreigners belong and the exact number of shares which they hold.

(c) The application must state the location and boundaries of the mine, measurements of these boundaries, and the area of the mine in square li and in mou, and must be accompanied by a map marked with proper explanations, in order to facilitate examination.

(d) The kinds of ore which the applicants intend to work must also be clearly set forth.

5. The mining concession asked must not contain more than 30 square li and must be comprised in territory which is continuous; the length must not be more than four times the breadth, and should there be graves upon the land some method must be adopted to avoid them in constructing shafts and tunnels; if this should be absolutely impossible, then a liberal allowance must be made for removing them.

(6) Should the mining concession for which application is made have been granted already to some other person, or should the lands concerned be important to the use of the State, the permit cannot be granted. This Board upon thorough investigation will reject the application.

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(7) (The following refer to prospecting). When an application has been made for a permit to prospect and the same has been granted, it is understood that permission is not given to work a mine, but merely to examine the surface out-crop of the vein in the locality mentioned in the permit, and such prospecting must not be carried to too great a depth nor over too great extent of ground.

8. A permit to prospect shall be good for one year, at the expiration of which time, if the examination shall really not have been completed, a petition must be prepared making a clear statement of the facts, and if, upon investigation, it shall appear that no false report shall have been made, the permit may be extended for not more than one year in addition.

9. Local officials shall still collect the land tax according to the usual regulation from all private lands affected by the permit to prospect, and public lands concerned shall pay an annual rental of Ku-p'ing Taels 1.00 per mou, which shall be an established rule. A fee of Ku-p'ing Taels 50.00 shall be paid for each permit to prospect, on the issue of which the rent in full for one year on all public land affected must first be paid to the local officials before work will be allowed to begin; and, if an extension of time shall be granted, immediately after such grant is made, an additional year's rent shall be paid.

10. Every applicant for a permit to prospect must prepare a petition stating the locality, boundaries and extent of the land to be examined, and present the same, as may be most convenient, either to the Viceroy (or) Governor (and) of the province concerned, who shall investigate the locality to determine whether or not such permit will injure the people of the place, whether or not the applicants be reputable persons, whether or not they may have any considerable amount of property, and whether or not there may be in their application any thing that violates the Regulations which have been submitted

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11. If the mining lands shall really be the private property of some other person, whose permission shall not have been given, and the prospector, having fraudulently obtained his permit proceed arbitrarily to make examination, immediately upon complaint being made by the owner, an estimate of the damage shall be made and compensation required accordingly.

12. Any person who shall have obtained a permit to prospect must within four months after the expiration of his permit completely fill in all excavations that may have been made, and, if houses or trees shall have been injured during the time of his prospecting, he must also put them in as good condition as before. If at the expiration of the four months he shall have obtained a permit to work the mine, the foregoing shall not apply.

13. (The following refer to working mines). No matter whether a mine is to be worked by Chinese or by Chinese and foreigners jointly, if a permit to work the mine be requested, the permit to prospect must first be returned for cancellation and a report submitted stating clearly the exact amount of capital stock raised, what kind of ore it is desired to work, as well as in what reliable banking or ex-

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change establishment the funds have been deposited, and the said banking or exchange establishment must give a guarantee to this effect, which shall be presented for inspection.

14. Should the original applicant for a permit to work a mine, either before or after beginning operations, desire to transfer the permit to some other person, he must first petition this Board and wait its sanction or refusal. Should the transfer be clandestinely made, immediately upon its coming to the knowledge of this Board, the original holder of the permit will be severely punished, the permit cancelled, and the property confiscated.

15. Any person who shall have obtained a permit to operate a mine must be permitted to take out ore at the place mentioned in the permit and in addition to transport to the mine all machinery and materials needed in its operation, and having paid the customs duty on the same according to regulation, shall not be required to pay any additional duty at any inland barrier. But, if any goods not needed in the working of the mine should be secretly brought in with such machinery and materials, a fine will be imposed according to the regulations.

16. In raising capital for the operation of a mine, generally speaking, the shares owned by Chinese ought to be in the majority so that the control may remain with them. If the Chinese-owned shares prove to be insufficient so that it becomes necessary to supplement them with foreign-owned stock, the latter must not amount to more than the number of Chinese-owned shares. And when the petition is presented, it must state clearly the exact number of foreign-owned shares; there must be no vagueness. Moreover it will not be permitted to borrow foreign money in addition to the foreign-owned supplementary shares. Should permission to operate be obtained by misrepresentation, on discovery of the facts, the permit will be cancelled and the property confiscated.

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ought first to be a rough estimate made of the amount of work to be done, and the amount in round numbers of the capital that will be required. If after examination the mine appears to be promising, subscriptions of stock must be invited until the full amount of the capital estimated as necessary shall have been raised, when only will a permit to work the mine be given. If after the work shall have commenced, it shall appear that on account of its difficult character the expenses are much greater than was estimated when the capital was being raised, and that the latter is insufficient and that it is difficult to raise additional shares, and it be proposed to raise a temporary loan of foreign capital to meet the emergency, if the capital already employed be composed entirely of Chinese-owned shares, then permission should be given to mortgage the machinery and buildings for a term of years as security for a loan, but it will not be allowable to borrow money by mortgaging the mine, and the amount of the loan must not exceed three-tenths of the amount originally estimated as the capital needed. A petition must first be presented to this Board, clearly stating the number of years which the loan is to run, from merchants of what nationality it is to be borrowed, and containing the words, "Borrowed by merchants to be repaid by merchants; the Government assumes no responsibility." Thereafter this Board will take the matter into consideration and give permission to negotiate the loan. When the contract is prepared one copy must be deposited with this Board for reference. It must not be clandestinely modified.

18. Hereafter should Chinese merchants make application for permission to conduct mining operations, and without reporting to this Board, should they have already entered into a contract with foreigners to mortgage the mine as security for a foreign loan, and for the time secured their permit by deception, or if after operations shall have begun they shall secretly sell the mining property to foreigners, and the original holder of the permit simply sit down and receive pay for the use of his name,

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ought first to be a rough estimate made of the amount of work to be done, and the amount in round numbers of the capital that will be required. If after examination the mine appears to be promising, subscriptions of stock must be invited until the full amount of the capital estimated as necessary shall have been raised, when only will a permit to work the mine be given. If after the work shall have commenced, it shall appear that on account of its difficult character the expenses are much greater than was estimated when the capital was being raised, and that the latter is insufficient and that it is difficult to raise additional shares, and it be proposed to raise a temporary loan of foreign capital to meet the emergency, if the capital already employed be composed entirely of Chinese-owned shares, then permission should be given to mortgage the machinery and buildings for a term of years as security for a loan, but it will not be allowable to borrow money by mortgaging the mine, and the amount of the loan must not exceed three-tenths of the amount originally estimated as the capital needed. A petition must first be presented to this Board, clearly stating the number of years which the loan is to run, from merchants of what nationality it is to be borrowed, and containing the words, "Borrowed by merchants to be repaid by merchants; the Government assumes no responsibility." Thereafter this Board will take the matter into consideration and give permission to negotiate the loan. When the contract is prepared one copy must be deposited with this Board for reference. It must not be clandestinely modified.

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as soon as such evil practice be discovered by the Viceroy or Governor of the province concerned, or by this Board, action will uniformly be taken in accordance with Article 14, due consideration being given to the lightness or gravity of the offence.

19. If the applicants for a mining concession are assisted by foreign-owned shares, no matter whether the permit sought be for prospecting or for working a mine, they must not only petition this Board and wait for its action, but must also petition the Board of Foreign Affairs, which will consider the application and approve or disapprove of it. As to the foreign merchants, since they are willing to take shares they must cheerfully recognize these Regulations and uniformly comply therewith; there must be no transgression of them.

20. If a Chinese corporation after having brought the mining enterprise mentioned in its permit into successful operation, shall desire to work in addition some neighboring mine, and its capital being insufficient, shall propose to enlagge it by securing supplementary shares of foreign capital, it must petition this Board, making a careful statement in detail, so that we may be able to decide whether to grant or refuse the petition, and after sanction is given a separate permit must be issued; the Chinese Company already existing must not become involved in this new enterprise.

21. Should it be necessary to maintain guards at a mine to protect the works, a petition to that effect must first be presented to the local authorities who will consider the matter and decide whether or not it may be allowed. Only Chinese must be used for guards. It is still more necessary that all employees, except those in charge of the machinery and those who keep the accounts should consist entirely of natives of the district in which the mine may be situated. Only when the natives go on strike, will

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22. If it should be desired to construct a small branch railway for the economical transportation of the ore, examination must first be made to learn whether ornot the nearest main line of railway of the nearest port is within a distanceof ten li, and whether or not there may be any local objections, which facts may be submitted in a petition to this Board, which will consider the matter and decide whether or not the line may be built? If the distance should be more than ten li, the case must be presented and treated as a special one.

23. If the territory covered by the permit to mine contain ten square li or less, a fee of K'u-p'ing Taels 100 shall be paid for the permit, and for every additional square li an additional Tls. 10.00 must be paid, 30 square li being the largest concession that may be granted, and after the fixed rent per Mou shall have been paid to the local authorities, no matter whether the operators be Chinese only or Chinese and foreigners together, equal protection must be given to all, but the officials must not interfere with the rights of the operators to manage their own business. In case the operators should meet with losses, action shall be taken in strict compliance with the Imperial Statutes; the law does not require the Government to indemnify.

24. After applicants shall have received the permission of this Board to work a mine, they must commence operations within six months from the date on which the permit shall have been granted, no matter whether the operators be Chinese or foreigners, and they must also report to this Board the date of beginning work. If the six months' period shall pass without

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report, the permit shall be cancelled and others be invited to operate the mine. Should the delay be caused by some unforeseen difficulty, it will also be necessary for a clear report to this effect to be made to this Board, which shall investigate the matter, and only if there shall have been no misrepresentation, may the matter of extending the time be taken into consideration.

25.Holders of permits must mark the boundaries of their concessions with stones that their limits may be clearly shown. They must also adopt proper measures to guard against dangers, lest the engineers or workmen should meet with accidents. If in spite of the precautions taken, any accident should occur, a report must be made as soon as possible to the local official, who will make an investigation. If any of the workmen shall have been killed a satisfactory indemnity must be paid. The amount of the indemnity shall be determined by the circumstances, a generous allowance being made.

26.At present China has very few mining experts, and holders of permits must therefore be allowed to employ foreign engineers. The local officials must give them thorough protection; should any disregard this injunction, they shall be liable to impeachment and punishment. The mining engineers must also themselves observe the rules of propriety. Should any of them show that they are ignorant of restraint, the blame must beborne by themselves, and the local official will inform the manager, who will discharge them and engage others. They must not be shielded.

27.The superior officials of those provinces in which mining enterprises are being conducted must direct their subordinates to issue proclamations and suppress all disturbances. Should the natives become contentious on account of any matter or the workmen stir up a row, the nearest Department or District Magistrate will take jurisdiction and deal with the case in a just manner. It is even

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covery of the said lands. Otherwise, if the request for the renewal of the permit be granted, the holders of the new permit will pay fees as in the first instance.

31. Although a holder of a permit is allowed to open a mine and take out ore anywhere within certain boundaries mentioned in his permit, yet, if there should be within those boundaries any property belonging to another or in which another has an interest, such property must be marked off as not included in the concession, and moreover at the time that application for a permit to work the mine is made the facts must be reported to this Board that they may be entered on the permit to prevent any quarreling. If by misrepresentation a permit should be obtained for the time, on accusation being made and the facts discovered a penalty will be determined.

32. Of the forests grown on mining lands some are needed by the State, and no one will be allowed to cut tress at will. If at the time that the permit is taken it should be clearly stated that it is desired to cut wood for use in the work, then the operators must wait until this Board shall have carefully examined the conditions of the region and decided whether or not such cutting can be allowed, and if permission should be given, the extent of the forest that may be so cut must be plainly stated in the permit, and outside of such limits no one must dare to disturb the timber. All wood cut must be paid for at market price.

33. The rent for mining land having been paid the first year, if no ore shall have been taken out, it must be paid again the second year according to the rate fixed. If ore shall have been taken, then the mine tax shall be paid according to regulation, and no collection of rent in addition shall be made. This is to manifest the Government's consideration for trade. But notwithstanding this if rent due shall not have been paid within three months after due date, the mine and all property connected with it shall be sealed up until the amount due shall have been paid in full. If within six months after

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34. The rate of the tax on the output of various ores will be determined according to the classification of the ores as more or less valuable. It is given in a general way below. Ores not specifically mentioned will be taxed at the rate of that which is nearest in kind to it among those given. In the case of mines for whose working contracts have already been entered into, in which no rate of duty is specified, the tax will be levied according to that here given.

(a) Coal, Antimony, Iron, Alum, and Borax, 5% ad valorem.
(b) Petroleum, Copper, Tin, Lead, Sulphur, and Cinnabar, 7 1/2% ad valorem.
(c) Gold, Platinum, Silver, Mercury, and Zinc, 10% ad valorem.
(d) Diamond, Quartz-crystal, and all sorts of precious stones, 20% ad valorem.

35. Ores shipped abroad shall pay export duty according to the Customs tariff, and this having been paid no additional duties shall be collected at any inland barrier. All duties collected from this source must be kept by the Customs in a separate fund until orders are issued for appropriation.

36. All mining companies must keep a tabulated account of the ores obtained, which shall present the exact amounts of the various ores obtained and the various amounts of each shipped from various ports, and the various grades of ore, whether excellent or inferior, and shall send report of these items to this Board every quarter, that it may be placed on file. This Board will either send a deputy to the mines to make examination or will compare the figures sent with those of the Customs, and if the two sets of figures ~~xiii~~ do not tally, will consider the matter and impose a penalty.

37. When a permit to prospect is issued, the receiver of the permit must present the bond of some reputable and wealthy firm as security in the amount of Tls. 5,000, and the receiver of a permit to work a mine a bond in the amount of Tls. 10,000, the bondsmen guaranteeing that the holder of the permit will

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observe the conditions recorded in the permit and the Regulations of this Board. In default thereof the sums mentioned will be forfeited as a penalty.

38. If Chinese applicants for a mining concession should be able of themselves to raise capital to the amount of more than 500,000 Tls, and it should appear upon examination that they have been successful in their operation of the mine, this Board will make a special request for an Edict conferring extraordinary rewards as an encouragement.

The foregoing Regulations, slightly altered by additions and excisions from those submitted and approved in the XXVIII Year of Kuanghsü,(1902) are declared to be the Temporary Regulations for the control of Mining Operations until a volume of Mining Laws shall have been compiled and published, when such amendments shall be made as may appear to be necessary.

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Enclosure No. 2 In Despatch No. 1607

Mr. Conger to Prince of Ch'ing.

Legation of the United States of America,

Peking, April 15th, 1904.

Your Imperial Highness:

I have the honor to acknowledge receipt of Your Imperial Highness' despatch of the 4th instant transmitting a copy of the Revised Mining Regulations, submitted in memorial by the Board of Commerce on the 17th of March last, and sanctioned by the Throne the same day.

I have carefully perused these Regulations and shall at once transmit a copy of them to my Government, which, I am sure, will be greatly disappointed, as I am, in their provisions. Instead of attracting foreign capital to advantageously develop her mineral resources, as China proposed to do in Article VII of the Commercial Treaty, signed on October 8th last, they will, in my judgment, practically prohibit the investment of any foreign capital in mining enterprises, and cannot, therefore, be accepted as fulfilling the provisions of the said Treaty.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

E.E.& M.P. of the United States.

TO H. I. H., Prince of Ch'ing,

President of the Board of Foreign Affairs.

1 = 0.36 mile (Imperial)
Tael = 1⅓ oz. Avg.

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1608.

Ack July 7, 1904 E

DIPLOMATIC
JUL 6 1904
BUREAU

Ack File
May 28, 1904
Secretary of State,
JUL 2 1904

ASSISTANT SECRETARY,
JUN 23 1904

INDEX BUREAU
RECEIVED
JUN 20 1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

File
5 Jul

FOR RELS. 1904.

Subject:

Chinese Government resolved to preserve strict neutrality.

Enclosing correspondence with Foreign Office and confirming telegram sent May 14, last.

INDEX BUREAU
JUL 8 1904
FILED

No. 1504. May 18, 1904

Mr. Conger to the Secretary of State.

Subject:

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Enclosing correspondence with Foreign Office and confirming telegram sent May 14, last.

No. 1608.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my cipher telegram of the 14th instant, as follows:

Secstate, Washington.

Fourteenth. Japanese Minister by direction of his Government yesterday again urged upon Prince Ch'ing the necessity of China's preserving the strictest neutrality. The Prince replied that it could and would be done, and he would instruct by telegraph the Chinese Ministers to so inform foreign Governments.

(Signed) Conger.

I enclose copy of a note received from the Foreign Office on the same subject, and my reply thereto.

This note is evidently the result of the Japanese Minister's interview, and of the representations made by the other foreign Ministers, including myself, information of which has already been communicated to you.

I am sorry to say that there seems to be on the part of both the French and the Germans here a disposition to exaggerate the danger of Chinese interference, and to give ready credence to, and to aid in the circulation of, rumors that the Japanese desire, and that there is great probability of, an early violation of neutrality by the Chinese.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

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F.O.No. 670

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The Foreign Office to Mr. Conger.

Japan and Russia being engaged in war, this Board received on the twelfth day of February, an Imperial Edict to the effect that China would observe a strict neutrality, and a despatch was sent to the various Minister for transmission to their respective Governments, in which China's position was clearly set forth. Moreover a set of regulations was sent to each of the different provinces, which regulations all were instructed to obey. This is all a matter of record. After making this proclamation China maintained a strict neutrality and did not change her attitude in the slightest particular in anything that she did; she acted in accordance with the laws of neutralityand favored neither one side nor the other at all. What is more, this Board repeatedly sent telegraphic instructions to the various Tartar generals and Governor Generals to the effect that the military and civil officers under their control must earnestly protect foreign commercial and missionary interests, and take strict and secret protectionary measures, in the hope that the attitude of the people will continue the same as in time of peace.

Since China has put herself out to such an extent to guarantee her neutrality, the Governments of the various other nations ought certainly to have confidence in her sincerity. But owing to the fact that various newspapers have recently published such alarming and erroneous reports touching this important matter, this Board has now prepared this additional declaration in clear language, stating that China in maintaining a strict neutrality, that from first to last she has been firm in her original idea, that her purpose is in accord with what Your Excellency's Government, so solicitous in our behalf, would have it be. This

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This communication is sent in the hope that Your Excellency will take note of the matter, and transmit the information to the Department of State.

A necessary despatch.

Thirtieth Year of Kuanghsu, 3rd Moon, 29th Day.

(May 14th, 1904.)

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F.O.No.656.

Enclosure No.2 In Despatch No. 1608.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, May 16th, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' despatch of the 14th instant saying that China has taken great pains to insure the absolute neutrality of her Government during the war between Japan and Russia, and that other Governments ought to have confidence in her sincerity; but that, owing to the fact that various newspapers have recently published such alarming and erroneous reports touching this important matter, your Board had prepared and sent the despatch mentioned to make a further declaration in plain language that China was maintaining a strict neutrality; that from first to last she had been firm in her original purpose, in thorough accord with the oft-expressed desire of the United States.

In reply I have the honor to say that this additional assurance of Your Imperial Highness is most gratifying and will give great pleasure to my Government, to whom I have already communicated it.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs,

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DIPLOMATIC
JUL - 8 1904
BUREAU.

ASSISTANT SECRETARY,
JUN 25 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1609.

May 17, 1904.

Secretary of State,
JUN 27 1904

INDEX BUREAU
RECEIVED
JUN 20 1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

CHIEF CLERK,
JUN 20 1904
Department of State.

FOR RELS. 1904.

Subject:

Chinanfu, Shantung, opened to foreign trade by Imperial decree, May 17, 1904. Its importance and necessity for Consul there. German Interests.

Confirming telegram sent May 18, last.

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1831 March 9 '05

No. 1609.

May 17, 1904.

Mr. Conger to the Secretary of State.

Subject:

Chinanfu, Shantung, opened to foreign trade by Imperial decree, May 17, 1904. Its importance and necessity for Consul there. German Interests.

Confirming telegram sent May 18, last.

No. 1609

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 18th instant, as follows:

Secstate, Washington.

Eighteenth. Imperial Decree seventeenth opens Chinanfu Shantung to Foreign trade.

(Signed) Conger.

Omit

I enclose copy of a note from the Foreign Office, by which it will be seen that Wei-hsien and Chou Ts'un are also opened; these two to be considered branches of the port of Chinanfu.

Chinanfu is the capital of Shantung and the present terminus of the German railroad from Tsingtao, and is likely to become an important business place; we ought, also, to have a Consul there at the earliest moment practicable.

Wei-hsien and Chou Ts'un are important stations on the railway. At Wei-hsien the American Presbyterians have a large Mission station and an important school.

For more than a year the Germans have had a Consular Officer stationed at Chinanfu, but he has been called an Agent of the Governor or representative of the railway, or something of that kind, and has not been authorized to perform regular Consular functions.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

The Foreign Office to Mr. Conger, May 17th, 1904.

No. 1509

May 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 16th instant, as follows:

"Washington.

Eighteenth. Imperial Decree seventeenth opens Chinanfu to Shantung to foreign trade.

(Signed) Conger."

I enclose copy of a note from the Foreign Office, by which it will be seen that Wei-hsien and Chou Ta'un are also opened; these two to be considered dependencies of the port of Chinanfu.

Chinanfu is the capital of Shantung and the present terminus of the German railroad from Tsingtao, and is likely to become an important business place; we ought, also, to have a Consul there at the earliest moment practicable.

Wei-hsien and Chou Ta'un are important stations on the railway. At Wei-hsien the American Presbyterians have a large Mission station and an important school.

For more than a year the Germans have had a Consular Officer stationed at Chinanfu, but he has been called an Agent of the Governor or representative of the railway, or something of that kind, and has not been authorized to perform regular Consular functions.

I have the honor to be, Sir,

Your obedient servant,

Conger

Enclosure:

The Foreign Office to Mr. Conger, May 17th, 1904.

Enclosure No.- In Despatch No. 1609

The Foreign Office to Mr. Conger.

In the third month of the thirtieth year of Kuanghsu, (May, 1904), the Superintendent of Northern Trade, together with the Governor of Shantung, sent in a memorial asking that China voluntarily open up to foreign trade, a mart outside of Chinanfu, the capital of Shantung, and also a village to the east of the capital, called Wei-hsien, as well as Chou Ts'un in the Ch'ang-shan District; the last two to be considered branches of the port at Chinanfu.

This Board after due consideration did, upon the first day of the fourth Moon (May 15th, 1904), prepare a memorial containing this request, in response to which we had the honor to receive an Imperial Edict giving the sanction of the Throne to the matter.

As soon as we have formulated satisfactory regulations and decided upon a day for opening the port, we will again write to inform Your Excellency of the matter; but as in duty bound we also send this letter in advance, that Your Excellency may be notified of the action taken.

A necessary despatch.

Thirtieth year of Kuanghsu, Fourth Moon, 3rd Day. (May 17th, 1904.)

(Seal).

Enclosure No.- In Despatch No. 169

The Foreign Office to Mr. Conger.

In the third month of the thirtieth year of Kuanghsu, (May, 1904), the Superintendent of Northern Trade, together with the Governor of Shantung, sent in a memorial asking that China voluntarily open up to foreign trade, a part outside of Chinanfu, the capital of Shantung, and also a village to the east of the capital, called Wei-hsien, as well as Chou Ts'un in the Ch'ang-shan District; the last two to be considered branches of the port at Chinanfu.

This Board after due consideration did, upon the first day of the fourth Moon (May 15th, 1904), prepare a memorial containing this request, in response to which we had the honor to receive an Imperial Edict giving the sanction of the Throne to the matter.

As soon as we have formulated satisfactory regulations and decided upon a day for opening the port, we will again write to inform Your Excellency of the matter; but as in duty bound we also send this letter in advance, that Your Excellency may be notified of the action taken.

A necessary despatch.

Thirtieth year of Kuanghsu, Fourth Moon, 3rd Day.
(May 17th, 1904.)

(Seal).

Copy & Encls. to C. & L. July 6.04 ES.

FIELD OFFICE
JUL 2 1904
BUREAU

Secretary of State.
JUL 2 1904

MEMORANDUM.

Mr. Conger's No. 1609 of May 17, 1904.

Dear Mr. Secretary:

I think that it would be advisable to wait at least a year before thinking of opening a consulate in the interior of Shantung Province. The opening of Chinan Fu will increase the trade through Tsing tao, the German seaport terminus of the railway to Chinan Fu, and will possibly divert to Tsing tao a considerable amount of the trade now carried on through Chefoo. It might therefore become necessary at some future time to have a consular representative of some kind at Tsing tao instead of Chinan Fu, as now suggested by Mr. Conger. Time will show.

As stated by Mr. Conger our present interests in Chinan Fu and at Wei hsien are missionary ones, and I think that they can be perfectly well looked after by the Consul General at Chefoo. He has done so in the past without great difficulty, even under trying circumstances, as in 1900 - he can certainly continue to do so.

File.
Approved. JH.

W. W. Rockhill

June 30, 1904.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

CONSULAR BUREAU
JUN
20
1904
DEPARTMENT OF STATE

No. 1610.

May 17, 1904.

File

Mr. Conger to the Secretary of State.

INDEX BUREAU
REC'D
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20
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Subject:

Recognition of Consul General Miller, Newchwang,
Confirming telegram of Department, undated.

INDEX BUREAU
JUN 21 1904
FILED

No. 1910

May 17, 1904.

Mr. Conger to the Secretary of State.

Subject:

Recognition of General General Miller, Reporting,

Confirming telegram of Department, undated.

No. 1610

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your undated telegram as follows:

American Minister, Peking.

Miller appointed Consul General Newchwang. Ask recognition. Notify Miller.

(Signed) Loomis.

The Chinese Government has already, upon my request, granted the usual authorization for Mr. Miller to perform the functions of Consul General at Newchwang, and he has been so notified.

I have the honor to be, Sir,

Your obedient servant,

C. H. Conger

No. 1810

May 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herewith translations of

Chinese:

Governor-Viceroy, Tsatien.

Miller appointed Consul General Yezowwang. Ask recognition. Notify Miller.

(Signed) Lampia.

The Chinese Government has already, upon my request, granted the usual authorization for Mr. Miller to perform the functions of Consul General at Yenchwang, and he has been so notified.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 20 1904
BUREAU.

No. 1611.

May 17, 1904

Mr. Conger to the Secretary of State.

INDEX BUREAU
RECEIVED
JUN 20
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DEPT. OF STATE

Subject:

Kind of time in common use by Railroads and Telegraphs in China information as to, furnished for the U. S. Naval Observatory, as per Department Instruction of March 26 last.

INDEX BUREAU
JUN 22 1904
FILED

No. 141.

May 17, 1904

Mr. Conger to the Secretary of State.

Subject:

Kind of time in common use by Railroads and Telegraphs in China information as to, furnished for the U. S. Naval Observatory, as per Department Instruction of March 14 last.

No. 611.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's Instruction of March 26th, asking for information for the United States Naval Observatory, regarding the kind of time in common use by the Railroads and Telegraph Companies in China.

I enclose a copy of a letter from Mr. Williams, the Chinese Secretary of this Legation, containing the data required.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Mr. Williams to Mr. Conger, May 16th, 1904.

No. 1411.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA

May 17th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's Instruction of March 26th, making for information for the United States Naval Observatory, regarding the kind of time in common use by the Railroads and Telegraph Companies in China.

I enclose a copy of a letter from Mr. Williams, the Chinese Secretary of this Legation, containing the data required.

I have the honor to be, Sir,

Your obedient servant,

Enclosure;

Mr. Williams to Mr. Conger, May 16th, 1904.

Enclosure No. - in Despatch No. 1611.

Mr. Williams to Mr. Conger.

Peking, May 16th, 1904.

Hon. E. H. Conger,

Minister of the United States,

Peking, China.

Sir:

In compliance with your instructions I have made inquiries touching the kind of time used by the railway and telegraph companies in China and the methods employed for correcting the same and have the honor to report as follows:

An observatory is maintained by the Jesuit Mission at Sicawei, near Shanghai, and a large ball suspended from a mast on the French Bund in Shanghai is dropped by electric action precisely at noon each day. This furnishes the local time at the port of Shanghai, which is adopted by the railway and telegraph companies represented there, as well as by the coastwise shipping. From Shanghai the time is telegraphed to other ports. The cable companies represented here in Peking receive this time from Chefoo, the Imperial Chinese telegraphs from the office of that Company in Tientsin. The Imperial Railways of North China use the same time, taking it from the British gun at Tientsin and passing it on to the stations of the railway twice each day, that is at 8 a.m. and 8 p.m.

I have had no reply as yet from the Peking-Hankow Railway.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) E. T. Williams,

Chinese Secretary.

Enclosure No. - in Despatch No. 161.

Mr. Williams to Mr. Conger.

Peking, May 16th, 1904.

Hon. E. H. Conger,

Minister of the United States,

Peking, China.

Sir:

In compliance with your instructions I have made inquiries touching the kind of time used by the railway and telegraph companies in China and the methods employed for correcting the same and have the honor to report as follows:

An observatory is maintained by the Jesuit Mission at Sicawei, near Shanghai, and a large ball suspended from a mast on the French Bund in Shanghai is dropped by electric action precisely at noon each day. This furnishes the local time at the port of Shanghai, which is adopted by the railway and telegraph companies represented there, as well as by the coastwise shipping. From Shanghai the time is telegraphed to other ports. The cable companies represented here in Peking receive this time from Chefoo, the Imperial Chinese telegraphs from the office of that Company in Tientsin. The Imperial Railways of North China use the same time, taking it from the British gun at Tientsin and passing it on to the stations of the railway twice each day, that is at 8 a.m. and 8 p.m.

I have had no reply as yet from the Peking-Hankow Railway.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) E. T. Williams,

Chinese Secretary.

TELEGRAM RECEIVED IN CIPHER.

INDEX BUREAU FILED

ASSISTANT SECRETARY. MAY 19 1904

DIPLOMATIC MAY 19 1904 BUREAU

From PEKING,

May 18, 1904,

3:31 p. m.

Copy sent to Mr. Rockhill. May 19/04. Encl'd 5/20/04 FWM

Secretary of State,

Washington.

18th Imperial Decree 17th opens Chinanfu Shangtung to foreign trade.

CONGER.

FOR RELS. 1904.

Inform Com. & Labor Copies to Com'r Labor sept. May 20. C.

Ciphered by the Chief Clerk's Office, May 18, 1904. 9:35

I have the honor to be,

Sir,

Your obedient servant,

(Signed) E. T. Williams,

Chinese Secretary.

LEGATION OF THE UNITED STATES OF AMERICA
PEKING, CHINA.

DIPLOMATIC
JUN 20 1904
CHIEF CLERK.
JUN 20 1904
Department of State.

No. 1612.

May 19, 1904.

Mr. Conger to the Secretary of State.

DEPARTMENT OF STATE
JUN 20 1904

Subject:

Transmitting under separate cover four Photographs of Legation buildings.

(Referring to Dep't Circular of January 13, legation despatch No. 1558 of April 1, and confirming dep't telegram received May 13 last)

-

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1612.

May 19, 1904.

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to Department Circular dated January 13, last and my despatch No. 1558 of April 1st, 1904, and complying with telegraphic instruction received May 13, as follows:

Conger, Peking,

Send Photographs front view legation soon possible,

(Signed) Hay.

I have the honor to forward herewith under separate cover four photographs of our legation here. The Photographs are numbered consecutively 1 - 4 and each is accompanied with a short typewritten description.

The cost of these photographs was four dollars U. S. Currency, for which I enclose a voucher, and will await the Department's instructions as to reimbursement.

Regretting that circumstances prevent more than this partial compliance with your instructions,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Photographs (4) under separate cover.

Vouchers.

May 15, 1904.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUN 25 1904
BUREAU.

No. 1613

ASSISTANT SECRETARY,
JUN 23 1904

May 19, 1904

Mr. Conger to the Secretary of State.

RECEIVED
JUN 20 1904
DEPT. OF STATE

CHIEF CLERK,
JUN 20 1904
Department of State.

Subject:

Spring Imperial Audience at Summer Palace
May 9th, 1904.

Ackd June 27

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JUN 30 1904
FILED

No. 1615

May 15, 1904.

Mr. Conger to the Secretary of State.

Inclosure:

Spring Imperial Audience at Summer Palace
May 9th, 1904.

No. 613

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 19th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that the customary Spring Imperial Audience was given to the members of the Diplomatic Corps at the Summer Palace on Monday, May 9th, and that the ladies of the Corps were received on the following day.

The audiences at the Summer Palace are not looked upon by the foreign representatives as being strictly formal, and consequently, to make a distinction, they are commonly referred to as garden parties, and many people not connected with the Diplomatic Corps are usually there, the military element being strongly in evidence.

The only thing to be noted about the audience of the Diplomats was the presence of the Russian Minister, who, for the first time in two years, was well enough to take part in person.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 16/3

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA

May 10th, 1904.

to the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that the customary Special Musical Audience was given to the members of the Diplomatic Corps at the Summer Palace on Monday, May 9th, and that the ladies of the Corps were received on the following day.

The audiences at the Summer Palace are not looked upon by the Foreign representatives as being strictly formal, and consequently, to make a distinction, they are commonly referred to as garden parties, and many people not connected with the Diplomatic Corps are usually there, the military element being strongly in evidence.

The only thing to be noted about the audience of the Diplomats was the presence of the Russian Minister, who, for the first time in two years, was well enough to take part in person.

I have the honor to be, Sir,

Your obedient servant,

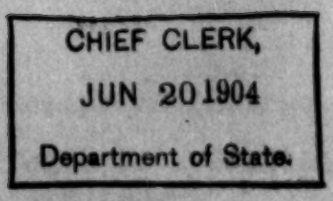
LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1614. May 19, 1904

File.

Mr. Conger to the Secretary of State.





Subject:

Certificate of Appointment of Clarence Clowe, as Vice & Deputy Consul General at Mukden, enclosed with Department Instruction No. 782 of April 2, last, received.



No. 1614. May 19, 1904.

Mr. Conger to the Secretary of State.

Subject:

Certificate of Appointment of Clarence Gagne, as Vice & Deputy Consul General at Hankow, enclosed with Department Instruction No. 788 of April 2, last, received.

No. 1614.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 19th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Instruction No. 782 of April 2nd, enclosing certificate of appointment of Mr. Clarence Clowe as Vice & Deputy Consul General of the United States at Mukden.

Mr. Clowe will, for the present, continue his studies here.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1614.

LEGATION OF THE UNITED STATES OF AMERICA,
Tegucigalpa

May 17th, 1906.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge receipt of instruction
No. 788 of April 2nd, enclosing certificate of appointment
of Lawrence Dorsey as Vice & Deputy Consul General of
the United States at Belize.

Mr. Dorsey will, for the present, continue his station
here.

I have the honor to be, Sir,

Your obedient servant,

DIPLOMATIC
JUL 2 1904
ASSISTANT SECRETARY,
JUN 29 1904
Secretary of State,
JUN 30 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

rec. July 6
1904

No. 1615.

CHIEF CLERK,
JUN 27 1904
Department of State.

May 24, 1904

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add to file

Mr. Conger to the Secretary of State.

FOR RELS. 1904.

Subject:

Transmitting Imperial Edict of May 22, last, on subject of the public peace.

INDEX BUREAU
JUL 9 1904
FILED

No. 1515.

MAY 24, 1904

Mr. Conger to the Secretary of State.

Subject:

Transmitting Imperial Edict of May 22, last,
on subject of the public peace.

No. 1615.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 24th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herewith copy of an Imperial Edict of May 22nd, 1904, evidently issued for the purpose of inspiring the people with confidence in the ability of the Government to preserve peace, and urging them not to allow any idle rumors to disturb the regular order of business.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Imperial Edict as above.

No. 1815.

LEGATION OF THE UNITED STATES OF AMERICA,

SEOUL, COREA.

May 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herewith copy of an Imperial Edict of May 22nd, 1904, evidently issued for the purpose of inspiring the people with confidence in the ability of the Government to preserve peace, and urging them not to allow any idle rumors to disturb the regular order of business.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Imperial Edict as above.

Enclosure No.— in Despatch No. 1615.

Imperial Edict.

Translated from the Peking Gazette of May 22nd, 1904.

Although the country has been favored with favorable rains during the present spring, still the price of grain has not fallen any as yet, and in fact the price of commodities in general has risen. This is doubtless accounted for by the fact that a state of war exists in the eastern provinces and there are too many wild rumors prevalent, which cause the commercial classes, in any business transaction, to stand by and look on without doing anything. Commodities therefore cannot circulate freely and this has a very bad effect upon trade and the general interests of the people.

China is on terms of mutual friendship with the various nations, and at the outset of the war between Japan and Russia she declared neutrality. She strictly maintains this neutrality at the present time and has not changed her position from first to last. Now, therefore, let there be no anxiety either in this province or elsewhere, and let the Tartar Generals and the Viceroys again issue proclamations to all the people saying that they must conduct business now just the same as in times of peace. They should not take any stock in the idle rumors floating about and which cause them to become suspicious and fear to enter into business transactions. Then(if these words be borne in mind)will the commercial classes be benefited and the interests of the people in general be promoted.

"Respect this."

Enclosure No.— in Despatch No. [illegible]

Imperial Edict.

Translated from the Peking Gazette of May 22nd, 1904.

Although the country has been favored with favorable rains during the present spring, still the price of grain has not fallen any as yet, and in fact the price of commodities in general has risen. This is doubtless accounted for by the fact that a state of war exists in the eastern provinces and there are too many wild rumors prevalent, which cause the commercial classes, in any business transaction, to stand by and look on without doing anything. Commodities therefore cannot circulate freely and this has a very bad effect upon trade and the general interests of the people.

China is on terms of mutual friendship with the various nations, and at the outset of the war between Japan and Russia she declared neutrality. She strictly maintains this neutrality at the present time and has not changed her position from first to last. Now, therefore, let there be no anxiety either in this province or elsewhere, and let the Tartar Generals and the Viceroys again issue proclamations to all the people saying that they must conduct business now just the same as in times of peace. They should not take any stock in the idle rumors floating about and which cause them to become suspicious and fear to enter into business transactions. Then(if these words be borne in mind)will the commercial classes be benefited and the interests of the people in general be promoted.

Respect this."

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY,
JUN 29 1904

DIPLOMATIC
JUL. 1 1904
BUREAU.

No. 1616.

May 25, 1904.

Mr. Conger to the Secretary of State.

Secretary of State,
JUN 30 1904

CHIEF CLERK,
JUN 27 1904
Department of State.

Subject:

Enclosing a translation of a document issued by Viceroy at Nanking indicating reactionary tendencies.

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JUL 6 1904
FILED

No. 414.

May 20, 1904.

Mr. Conger to the Secretary of State.

Subject:

Inclosing a translation of a document issued by Viceroy et Marking indicating reactionary tendencies.

[illegible]

No. 1616.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herewith translation from the Tientsin "Erh Erh Hsin-wen," of a document presumed to have been issued by the Viceroy at Nanking, forbidding the purchase, sale, or reading of certain reform publications in his jurisdiction.

I have been unable to verify the genuineness of this document, but it is generally believed to be true; and if it is, it indicates strongly a return, by the Chinese Government, to the spirit of persecution which began in 1898 and culminated in the tragedies of 1900.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Translation from the Tientsin "Erh Erh Hsin-wen."

No. 1616.

May 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herewith translation from the Shantung "Yeh Yeh-wen," of a document presumed to have been issued by the Viceroy at Nanking, forbidding the purchase, sale, or reading of certain reform publications in his jurisdiction.

I have been unable to verify the genuineness of this document, but it is generally believed to be true; and if it is, it indicates strongly a return, by the Chinese Government, to the spirit of persecution which began in 1898 and culminated in the tragedies of 1900.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Translation from the Shantung "Yeh Yeh Hsin-wen."

Enclosure No.- In Despatch No. 1616,

List of books of Reform Party, forbidden to be bought or sold, or to be read under severe penalties. Translated from the Tientsin Erh Erh Hsin-wen, of May 23rd, 1904.

A certain high official has sent the following instructions to his subordinates:

"A letter from the Grand Counsil says: 'We have recently heard that book shops and newspaper offices in southern and central China are selling rebellious books, such as "Reform in China," "China Changing," "The New Kuantung," "The New Hunan," "The Tide in Chekiang," "Conspiracy to Devour China," "The Independence of China," "The Soul of China, "The Spirit of the Emperor," "The Essence of Barbarism," "Strange Incidents of Twenty-four Periods," "A Scheme of Imperial Government," "A Prophecy of the Calamity of Partition," "A Collection of papers on Reform," "The Enthusiasm of T'an Liu-yang & Another Hero, "A New Story," "The Sum of it All," "Modern Manchus & Reform, and "China in Decay," all of which works are deserving of severest reprobation, being calculated to disturb men's minds, destroy their loyalty and stir them up to insane action. If they should be allowed unchecked circulation they will not only pervert the morals of the people, but perhaps disturb the peace of the world as well. For this reason the law of China can not deal leniently with them nor are they such as the laws of other nations would tolerate. We earnestly beg therefore, that secret orders may be issued to all in your jurisdiction to make careful investigation and strictly prohibit the circulation of these books, that there may be no way open for their sale in the interior and that scholars may not be able to buy or read read them. There can be no difficulty in daily carrying on a war of extermination against such insane literature, and we believe that Your Excellency is deeply interested in the instruction of the people and will be able to take effect-

ive

Enclosure No.— In Despatch No. 616.

List of books of Reform Party, forbidden to be bought or sold, or to be read under severe penalties. Translated from the Tientsin Kuh Hsin Hsin-wen, of May 23rd, 1904.

A certain high official has sent the following instructions to his subordinates:

"A letter from the Grand Council says: 'We have recently heard that book shops and newspaper offices in southern and central China are selling rebellious books, such as "Reform in China," "China Changing," "The New Kuantung," "The New Human," "The Tide in Checking," "Conspiracy to Devour China," "The Independence of China," "The Soul of China," "The Spirit of the Emperor," "The Essence of Barbarism," "Strange Incidents of Twenty-four Periods," "A Scheme of Imperial Government," "A Prophecy of the Calamity of Partition," "A Collection of papers on Reform," "The Enthusiasm of T'an Lin-yang!! & Another Hero," "A New Story," "The Sum of it All," "Modern Manchus & Reform," and "China in Decay," all of which works are deserving of severest reprobation, being calculated to disturb men's minds, destroy their loyalty and stir them up to insane action. If they should be allowed unchecked circulation they will not only pervert the morals of the people, but perhaps disturb the peace of the world as well. For this reason the law of China can not deal leniently with them nor are they such as the laws of other nations would tolerate. We earnestly beg therefore, that secret orders may be issued to all in your jurisdiction to make careful investigation and strictly prohibit the circulation of these books, that there may be no way open for their sale in the interior and that scholars may not be able to buy or read them. There can be no difficulty in daily carrying on a war of extermination against such insane literature, and we believe that Your Excellency is deeply interested in the instruction of the people and will be able to take effect-

ive

ive measures in dealing with the matter.'

I find that recently the deciples of insanity and rebellion have published books and papers which have sown distrust far and wide. Their rebellious and wicked words are truly enough to grieve the hearts of the law-abiding, and if severe measures are not taken to search out and prohibit the circulation of these works, there is no telling how far the poison may extend. It becomes my duty therefore to direct you to strictly forbid all book shops to sell any of the books or papers mentioned in the above list. Officials and gentry must not be allowed to buy or read them. Those who already have them must at once destroy them. Should any one after the issue of this prohibition dare to deal in these works, on discovery of the same his houses and lands will be confiscated. Those who purchase or read them you are ordered to arrest and imprison. Should students in any of the schools buy and read them, not only must they be arrested and imprisoned, but the principals and professors of such schools will also be held responsible.
These strict orders are issued to all to secure united action."

NOTES. * The "high official" is believed to be the Viceroy at Nanking, who has jurisdiction over the three provinces, Kiangsu, Anhui, and Kiangsi. The orders are issued to all the district Magistrates in his jurisdiction.

† Many of the books on the list have been printed in Japan, as is indicated by the term used for China. They have probably been prepared by Liang Chih-chao and others of the Reform Party who were compelled to flee from China when the Emperor was deprived of power by the Empress Dowager in 1898.

§ The word translated "period" means a period of twelve years, the siderial period of Jupiter, used in ancient astronomical calculations. The 24 periods therefore covered a term of 288 years, roughly speaking the time during which the present dynasty has held the Throne, and the work mentioned purports to deal with the crimes and blunders of these Manchu rulers.

‖ T'an Liu-yang, a son of a former Governor of Hupeh, and a disciple of Chang Hhih-tung, associated with the Reform party in 1898, a staunch adherent of the Emperor, and one of the unfortunage young men who were beheaded when the Empress Dowager seized the Throne and Imprisoned the Emperor.

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These strict orders are issued to all to secure united action."

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§ T'an Lin-yang, a son of a former Governor of Hupeh, and a disciple of Chang Chih-tung, associated with the Reform party in 1898, a staunch adherent of the Emperor, and one of the unfortunate young men who were beheaded when the Empress Dowager seized the Throne and Imprisoned the Emperor.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY,
JUN 29 1904

DIPLOMATIC
JUN 30 1904
BUREAU.

No. 1617.

May 25, 1904.

Secretary of State,
JUN 30 1904

Mr. Conger to the Secretary of State.

CHIEF CLERK,
JUN 27 1904
Department of State.

FOR RELS. 1904.

Subject:

Enclosing translation of Japanese proclamation posted in occupied places in Manchuria.

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No. 617.

May 25, 1904.

Mr. Conger to the Secretary of State.

Subject:

Inclosing translation of Japanese proclamation posted in occupied places in Manchuria.

No. 1617.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith copy of a translation of a Japanese proclamation which is being posted in various places in Manchuria as rapidly as it is occupied by the Japanese Army.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Translation of Japanese Proclamation as stated.

No. 1617.

May 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith copy of a translation of a Japanese proclamation which is being posted in various places in Manchuria as rapidly as it is occupied by the Japanese Army.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Translation of Japanese Proclamation as stated.

Enclosure No.- In Despatch No. 1617.

Translation from Chinese or Japanese.

First proclamation issued by the Japanese after the taking of Antung.

The Commanding Officer of the First Army Corps of the Empire of Japan at present warring against Russia issues this Proclamation for the information of the Public.

Whereas Russia for years past has occupied Manchurian territory, has collected tropps and raised fortifications, has oppressed the people and harassed the magistrates, and this with unbounded tyranny, perpetrating crimes like very highwaymen, under the excuse that they were protecting their railway, but really with the intention of ultimately annexing the three Provinces of Manchuria. It was something intolerable that the sacred tombs of the Chinese Imperial house should be thrown into the hands of aliens, how could the high officials of state stand it? And if the three eastern Provinces were annexed by Russia who could know whether Corea would be in peace or trouble. Japan and Corea have therefore set their teeth, and mutually depending on each other will mutually act. Therefore our Emperor, majestic in his wrath has issued an Imperial decree ordering the three armies to exert their utmost strength and attack by sea and land. (Inspired by a sense of) duty and patriotism what enemy can we not subdue or what barrier can we not overcome? We destroyed noble battleships at the first battle of Yen-Ch'uan and in another battle in the eastern sea off Port Arthur the naval strength of the enemy was vanquished. We wish to leave not a single flag of Russia flying, and we have good reason. If indeed our land army like a myriad of the mythical tiger killers showing incomparable strategy following the banners with boldness, the rank and file under thorough discipline, then in the forward march to battle their very breath will

dissipate

Enclosure No.- In Despatch No. 147.

Translation from Chinese or Japanese.

First proclamation issued by the Japanese after the taking of Antung.

The Commanding Officer of the First Army Corps of the Empire of Japan at present warring against Russia issues this Proclamation for the information of the Public.

Whereas Russia for years past has occupied Manchurian territory, has collected troops and raised fortifications, has oppressed the people and harassed the magistrates, and this with unbounded tyranny, perpetrating crimes like very highwaymen, under the excuse that they were protecting their railway, but really with the intention of ultimately annexing the three Provinces of Manchuria. It was something intolerable that the sacred tomba of the Chinese Imperial house should be thrown into the hands of aliens, how could the high officials of state stand it? And if the three eastern Provinces were annexed by Russia who could know whether Corea would be in peace or trouble. Japan and Corea have therefore set their teeth, and mutually depending on each other will mutually act. Therefore our Emperor, majestic in his wrath has issued an Imperial decree ordering the three armies to exert their utmost strength and attack by sea and land. (Inspired by a sense of) duty and patriotism what enemy can we not subdue or what barrier can we not overcome? We destroyed noble battleships at the first battle of Yen-Ch'uan and in another battle in the eastern sea off Port Arthur the naval strength of the enemy was vanquished. We wish to leave not a single flag of Russia flying, and we have good reason. If indeed our land army like a myriad of the mythical tiger killers showing incomparable strategy following the banners with boldness, the rank and file under thorough discipline, then in the forward march to battle their very breath will dissipate

dissipate the entire Russian army and it may be said that they will subdue the enemy without even fighting.

We have now passed through the Corean boundaries and entered the Liaoyang territory. Our Army leaders are men of honor and will not commit the error of an autumn spikelet, but on the other hand will be full of compassion towards the people, like a loving mother nursing her new born child.

Therefore we trust that all the people will have respect to the sacred edict of our Emperor, and each peacefully follow his avocation, reserving cattle, horses, firewood, grain, and beef which will be all sooner or later required (by our army). Act thus and without delay use diligence to exert yourselfes on our behalf. If any one is found assisting the enemy as spies secretly reporting the movements of our troops, daring to act in opposition to us he shall be apprehended and dealt with sternly, no mercy being shown. Respect this.

dissipate the entire Russian army and it may be said that they will subdue the enemy without even fighting.

We have now passed through the Corean boundaries and entered the Liaoyang territory. Our Army leaders are men of honor and will not commit the error of an autumn epilet, but on the other hand will be full of compassion towards the people, like a loving mother nursing her new born child. Therefore we trust that all the people will have respect to the sacred edict of our Emperor, and each peacefully follow his avocation, reserving cattle, horses, firewood, grain, and beef which will be all sooner or later required (by our army). Act thus and without delay use diligence to exert yourselves on our behalf. If any one is found assisting the enemy as spies secretly reporting the movements of our troops, daring to act in opposition to us he shall be apprehended and dealt with sternly, no mercy being shown. Respect this.

CONSULAR BUREAU
JUN
27
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DEPARTMENT OF STATE

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

File

No. 1618.

May 25, 1904

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Mr. Conger to the Secretary of State.

Subject:

Recognition of Amos L. Sarle, Vice and Deputy Consul General at Hankow, in compliance with Instruction No. 784 of April 7, 1904.

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No. 185

May 25, 1904

Mr. Conger to the Secretary of State.

Subject:

Recognition of Amos L. Earle, Vice and Deputy Consul General at Hankow, in compliance with Instruction No. 754 of April 7, 1904.

No. 1618.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 784 of April 7th, enclosing the certificate of appointment of Amos L. Sarle of Rhode Island, as Vice & Deputy Consul General of the United States at Hankow.

Upon my application the Foreign Office has granted formal recognition, and notice of this, together with the certificate, has been sent to Mr. Sarle through the Consul General at Hankow.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1819.

May 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

SIR:

I have the honor to acknowledge the receipt of Department instruction No. 784 of April 7th, enclosing the certificate of appointment of Amos L. Earle of Rhode Island, as Vice & Deputy Consul General of the United States at Hankow.

Upon my application the Foreign Office has granted formal recognition, and notice of this, together with the certificate, has been sent to Mr. Earle through the Consul General at Hankow.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1619.

May 26, 1904.

Mr. Conger to the Secretary of State.

Subject:

Transmitting sixteen signed vouchers of Final payment of Indemnity award.

No. 1619.

May 26, 1904.

Mr. Conger to the Secretary of State.

Subject:

Transmitting sixteen signed vouchers of
Final payment of Indemnity award.

No. 1619

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1606 of May 13th, I have the honor to enclose further signed vouchers for the final payment of the indemnity awards as follows:

Fobes & Co.,
A. S. Fobes,
Charles R. Bennett,
John De Witt Jansen,
Frazar & Co.,
Jennie Connor, Admx. Est. of Thos. W. Connor,
American Bible Society,
John Woodberry,
Thomas A. Standring,
D. Willard Lyon,
F. L. Rogers,
Chas. Sturman,
Gilbert Reid,
Franklin M. Chapin,
George Butland,
Charles F. Gammon.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Vouchers as above.

Vouchers filed in Bureau of Accounts June 27-1904.

No. 1819

May 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1806 of May 12th, I have the honor to enclose further signed vouchers for the final payment of the indemnity awards as follows:

Yobes & Co.,

A. S. Yobes,

Charles R. Bennett,

John De Witt Jansen,

Strauss & Co.,

Jacob Conner, Admr. Est. of Thos. W. Conner,

American Bible Society,

John Woodberry,

Thomas A. Standring,

D. Willard Lyon,

W. I. Rogers,

Chas. Sturman,

Gilbert Reid,

Franklin K. Chaplin,

George Rutland,

Charles F. Gammon.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

Vouchers as above.

ack. June 6, 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

ASSISTANT SECRETARY,
JUN 29 1904

No. 1620.

May 26, 1904

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Mr. Conger to the Department of State.

CHIEF CLERK,
JUN 27 1904
Department of State.

DIPLOMATIC
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BUREAU.

Subject:

Receipt of Department Instruction No. 788, enclosing copy of letter to J. D. Longmire, Esq., our representative on Bankers Commission. No notice of his appointment received as yet.

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JUL 8 1904
FILED

No. 1612

May 26, 1904

Mr. Conger to the Department of State.

Subject:

Receipt of Department Instruction No. 786, enclosing copy of letter to J. D. Dougherty, Esq., our representative on Barrier Commission. No notice of his appointment received as yet.

No. 1620.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Department Instruction No. 788, enclosing copy of a letter addressed on the 11th ultimo to John Dickinson Longmire, Esquire, delegate of the United States on the Commission of Bankers at Shanghai, defining his status and duties.

It has been the custom of each Representative of the Powers here to notify all his Colleagues of every appointment by his Government of a delegate on this Commission. I am, however, unable to do this, as I have as yet received no notice of Mr. Longmire's appointment.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1520.

May 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Department instruction No. 703, enclosing copy of a letter addressed on the 11th ultimo to John Dickinson Longmire, Deputy, delegate of the United States on the Commission of Bundaries at Shanghai, defining his status and duties.

It has been the custom of each Representative of the Powers here to notify all his Colleagues of every appointment by his Government of a delegate on this Commission. I am, however, unable to do this, as I have as yet received no notice of Mr. Longmire's appointment.

I have the honor to be, Sir,

Your obedient servant,

E.H. Conger

No. 1621.

Ack. and file.

ASSISTANT SECRETARY, JUN 29 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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May 30th, 1904.

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CHIEF CLERK, JUN 27 1904 Department of State.

rec'd July 9, 1904

Mr. Conger to the
Secretary of State.

Subject: Appropriation of one hundred thousand taels from the Imperial Private Treasury to help the work of the Red Cross Society.

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No. 1621.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herewith translation of an Edict appropriating from the Imperial private Treasury, one hundred thousand taels in aid of the work of the Red Cross Society.

The Edict says it is to be handed over to the Chinese Minister in England and others for distribution, but I am personally informed by the Minister of the Wai Wu Pu that it is to be used in the Orient among the sick and wounded of the Russo-Japanese war.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Copy of Edict as stated.

No. 427.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 28th, 1901.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith translation of Note appropriating from the Imperial private Treasury, one hundred thousand taels in aid of the work of the Red Cross Society.

The Note says it is to be handed over to the Chinese Minister in England and others for distribution, but I am personally informed by the Minister of the Wai Wu Pu that it is to be used in the Orient among the wounded of the Russo-Japanese war.

I have the honor to be, Sir,

Your obedient servant,

E.H. Conger

Inclosure:

Copy of Edict as stated.

Enclosure No.- In Despatch No. 1621.

Inperial Edict translated from the Peking Gazette of May 25th, 1904.

I, the Emperor, have received an Imperial Edict from Her Imperial Majesty the Empress Dowager saying that the memorial recently submitted by the Board of Foreign Affairs meets with her sincere approval, and that Chang Te-I should give authoritative sanction to it. The Red Cross Society nurses and cares for soldiers wounded in battle, and for all who have suffered hardship, which is surely a very commendable object. The fact that some of the gentry of China have already sent forward funds to be used for this purpose greatly appeals to the compassionate heart of Her Imperial Majesty. It is her Imperial Majesty's will, therefore, that One Hundred Thousand Taels be taken from the Imperial Treasury and devoted to the expenses of this Society, and Chang Te-I and the gentry who are members of the Society are to use every effort to see that the money is spent to the best advantage.

"Respect this."

Enclosure No.- In Despatch No. 1521.

Imperial Edict translated from the Peking Gazette of May 25th, 1904.

I, the Emperor, have received an Imperial Edict from Her Imperial Majesty the Empress Dowager saying that the memorial recently submitted by the Board of Foreign Affairs meets with her sincere approval, and that Chang Te-I should give authoritative sanction to it. The Red Cross Society nurses and cares for soldiers wounded in battle, and for all who have suffered hardship, which is surely a very commendable object. The fact that some of the gentry of China have already sent forward funds to be used for this purpose greatly appeals to the compassionate heart of Her Imperial Majesty. It is her Imperial Majesty's will, therefore, that One Hundred Thousand Taels be taken from the Imperial Treasury and devoted to the expenses of this Society, and Chang Te-I and the gentry who are members of the Society are to use every effort to see that the money is spent to the best advantage.

"Respect this."

No. 1622.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
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May 30th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Transmitting copies of the Chinese Neutrality Proclamations for the use of the Navy Department. Acknowledging No. 787 of April 9th, 1904.

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No. 1622.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 787 of April 9th, sent to me by the United States Minister at Seoul, and in compliance therewith to transmit for the use of the Navy Department, two copies of the Chinese Neutrality Proclamations forwarded in my despatches Nos. 1502 of February 13th, and 1507 of February 17th.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Two copies of Chinese Neutrality Proclamations.

No. 1832.

May 20th, 1904.

To the Secretary
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's ... way of ... 19th, ... by the United States Minister at Seoul, and in compliance therewith, to transmit for the use of the Navy Department, two copies of the Chinese Neutrality Proclamations Promulgated in my despatches Nos. 1802 of February 12th, and 1807 of February 17th.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

Two copies of Chinese Neutrality Proclamations.

No. 1623.

Ack. and file.

ASSISTANT SECRETARY, JUL 1 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 30th, 1904.

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ack July 7, 1904 File

Mr. Conger to the

Secretary of State.

CHIEF CLERK, JUN 27 1904 Department of State.

Subject: Reply of Mr. Frederick D. Cloud, Student Interpreter, to the charges against him made by Mr. A. W. Layman.

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No. 1623.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Department Instruction No. 781, of March 30th, enclosing a copy of a letter from Mr. A. W. Layman of Iowa concerning certain financial transactions with Mr. Frederick D. Cloud, a Student Interpreter at this Legation.

I have written to Mr. Cloud on the subject and transmit herewith his reply to the charges made by Mr. Layman.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Cloud to Mr. Conger, May 20th, 1904.

Enclosure No.— In Despatch No. 1623

Mr. Cloud to Mr. Conger.

May 20th, 1904.

Hon. E. H. Conger,

United States Minister,

Peking.

Sir:

I beg to acknowledge receipt of your communication under date the 19" instant enclosing an instruction from the Department of State relative to a matter between A. W. Layman of Des Moines, Iowa, and myself.

In reply I would respectfully state that during the summer of 1902 while my appointment as Student Interpreter was still pending and before it was known whether I should come to China or not, said A. W. Layman very kindly went security on a note with me at the Citizens' National Bank of Des Moines. The money was not therefore used for transportation to China, or any part of it, as is stated by Mr. Layman.

He states that I have refused to pay said note, and moreover that he has written five letters to me, all of which I have failed to reply to. To which I would beg to state that I have never refused to pay said note, but on the contrary have repeatedly stated in letters to him that I would pay the note in full at the very earliest possible moment. I would not presume to say how many letters Mr. Layman has written to me, but of the five he claims to have written, I wish to state most emphatically that I have to date received but three. Moreover I would further state that since coming to Peking I have written no less than four letters to Mr. Layman on this particular subject; the last one of which bearing date of April 23" a copy of which I herewith enclose and which will explain itself.

I wish further to state that I have some accounts at

home

Enclosure No.— In Despatch No. 1625

Mr. Cloud to Mr. Conger.

May 20th, 1904.

Hon. E. H. Conger,

United States Minister,

Peking.

Sir:

I beg to acknowledge receipt of your communication under date the 19th instant enclosing an instruction from the Department of State relative to a matter between A. W. Layman of Des Moines, Iowa, and myself.

In reply I would respectfully state that during the summer of 1902 while my appointment as Student Interpreter was still pending and before it was known whether I should come to China or not, said A. W. Layman very kindly went security on a note with me at the Citizens' National Bank of Des Moines. The money was not therefore used for transportation to China, or any part of it, as is stated by Mr. Layman.

He states that I have refused to pay said note, and moreover that he has written five letters to me, all of which I have failed to reply to. To which I would beg to state that I have never refused to pay said note, but on the contrary have repeatedly stated in letters to him that I would pay the note in full at the very earliest possible moment. I would not presume to say how many letters Mr. Layman has written to me, but of the five he claims to have written, I wish to state most emphatically that I have to date received but three. Moreover I would further state that since coming to Peking I have written no less than four letters to Mr. Layman on this particular subject; the last one of which bearing date of April 23rd a copy of which I herewith enclose and which will explain itself.

I wish further to state that I have some accounts at

home

home which are as yet not settled in full but which I am trying as hard as a man can try to settle. But friends at home have a habit of thinking that because a man is in the Government service he is therefore a moneyed man and amply able to meet all demands made on him for money. In my case as in many others it works a great injustice.

Under date of April 23" I remitted twenty-five dollars by Government draft, to Mr. Layman to apply on said account with the promise to make another payment if possible, the first of August. More than this I cannot possibly promise with any hope of fulfilling the promise.

Trusting I have herein made what explanation was desired, and made it sufficiently plain,

I have the honor to be,

Sir,

Your very obedient servant,

(Signed) F. D. Cloud,

Student Interpreter of the United States.

Enclosure:

Copy of letter from F. D. Cloud to A. W. Layman.

home which are as yet not settled in full but which I am trying as hard as a man can try to settle. But friends at home have a habit of thinking that because a man is in the Government service he is therefore a moneyed man and amply able to meet all demands made on him for money. In my case as in many others it works a great injustice.

Under date of April 25" I remitted twenty-five dollars by Government draft, to Mr. Layman to apply on said account with the promise to make another payment if possible, the first of August. More than this I cannot possibly promise with any hope of fulfilling the promise.

Trusting I have herein made what explanation was required, and made it sufficiently plain,

I have the honor to be,

Sir,

Your very obedient servant,

(Signed) F. D. Cloud,

Student Interpreter of the United States.

Enclosure:

Copy of letter from F. D. Cloud to A. W. Layman.

Copy of letter by F.D.Cloud Peking China to
A.W.Layman of Des Moines ,Iowa.

April 23,1904

A.W.Layman,Esq.,

Des Moines Ia.,

Dear Sir:-

I have to acknowledge your favor of March 12th relative to the note on which ypu went as my security , to the Citizens National Bank of Des Moines.

In said letter you state that you have paid the note and interest,amounting in all to $LL6 (116) and not having heard from me regarding the same,have reported the same to the State Department and have further filed charges against me for "official misconduct".

In reply to which I wish to state that I had already made arrangements to forward you a payment on the note and that I inclose herewith a draft on the State Department for Twenty-five Dollars to apply on the amount of the note. I wish to state further that it is my intentionto pay not only the note in question but all my just debtsjust as rapidly as it shall be possible for me to do so and that I shall endeavor to make another payment on this same note the first of August.

In regard to your statement that I have failed to write you or answer your communications,I wish to say that the statement is false. I have written you three or four times since coming here and the last time I wrote was,as I remember,about a month or six weeks ago,in response to a communication from you.

In regard to the charges against me for "official misconduct" I have only to say that as far as I can remember,I have done nothing since accepting the President's commission under the Government,to lay myself liable ona charge of "official misconduct".As far as the Government is concerned,the transaction with the Citizens' Bank was not official any more than the fact that you went on my note. Neither transaction had anything to do with official business whatsoever.

You know perfectly well that the salary I get is exceedingly small and that it is with the greatest difficulty that one can save anything out of it over and above his living expenses. But notwithstanding this fact,I have receipts and records to show that during the past 18 months I have been here,I have sent home to be applied on accounts more than $266. If this is the "official misconduct" referred to,then I must plead guilty.

When I asked you to go on the note I thought I could meet it without difficulty or of course I would never have asked your aid. And had conditions of living here been as they were represented to me before coming out to China,I should still have been able to care for the note. In conclusion I wish to say that I am trying to make the most of the situation.looking forward to the time when the Government will pay us better salries and so enable us to have at least a small surplus each year to put by or with which to discharge obligations.

And for your kindness to me in time of great need I am most grateful and anything you may do will not change my mind on that score. But to have you talk of "official misconduct"when, so far as I know,I have at all times acted within the bounds of official regulations,is to take an unfair and unwarranted advantage. Perhaps it may delay an otherwise early promotion, which would give me the wherewithal to repay you,but it will not reimburse you any the sooner.

Copy of letter by F.D.Cloud Peking China to
A.W.Layman of Des Moines, Iowa.

April 23,1904

A.W.Layman,Esq.,

Des Moines Ia.,

Dear Sir:-

I have to acknowledge your favor of March 12th relative to the note on which you went as my security , to the Citizens National Bank of Des Moines.

In said letter you state that you have paid the note and interest, amounting in all to $116 (110) and not having heard from me regarding the same,have reported the same to the State Department and have further filed charges against me for "official misconduct".

In reply to which I wish to state that I had already made arrangements to forward you a payment on the note and that I inclose herewith a draft on the State Department for Twenty-five Dollars to apply on the amount of the note. I wish to state further that it is my intention to pay not only the note in question but all my just debts,just as rapidly as it shall be possible for me to do so and that I shall endeavor to make another payment on this same note the first of August.

In regard to your statement that I have failed to write you or answer your communications,I wish to say that the statement is false. I have written you three or four times since coming here and the last time I wrote was,as I remember,about a month or six weeks ago,in response to a communication from you.

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You know perfectly well that the salary I get is exceedingly small and that it is with the greatest difficulty that one can save anything out of it over and above his living expenses. But notwithstanding this fact,I have receipts and records to show that during the past 18 months I have been here,I have sent home to be applied on accounts more than $250. If this is the "official misconduct" referred to,then I must plead guilty.

When I asked you to go on the note I thought I could meet it without difficulty or of course I would never have asked your aid. And had conditions of living here been as they were represented to me before coming out to China,I should still have been able to care for the note. In conclusion I wish to say that I am trying to make the most of the situation.looking forward to the time when the Government will pay us better salries and so enable us to have at least a small surplus each year to put by or with which to discharge obligations.

And for your kindness to me in time of great need I am most grateful and anything you may do will not change my mind on that score. But to have you talk of "official misconduct"when, so far as I know,I have at all times acted within the bounds of official regulations,is to take an unfair and unwarranted advantage. Perhaps it may delay an otherwise early promotion, which would give me the wherewithal to repay you,but it will not reimburse you any the sooner.

(F.D.C. to A.W.L.)

I shall endeavor to make another payment the first of August of this year.

I am,

Yours very truly,

(Signed) Fred D. Cloud

P.S. In looking up my note book I find that I wrote about March 10 "or 12 " last. Did you or did you not receive it ?

F.D.C.

(F.D.C. to A.W.J.)

I shall endeavor to make another payment the first of August of this year.

I am,

Yours very truly,

(Signed) Fred D. Cloud

P.S. In looking up my note book I find that I wrote about March 10 "or 12" last. Did you or did you not receive it ?

F.D.C.

DEPT OF STATE
JUL
22
1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

DIPLOMATIC
JUL 22 1904
BUREAU.

No. 1624.

May 31st, 1904.

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Mr. Conger to the Secretary of State.

Subject:

International Pure Food Congress, Chinese Minister at Washington authorized to appoint delegates to.

INDEX BUREAU
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No. 16 24.

May 31st, 1904.

Mr. Conger to the Secretary of State.

Enclosure:

'International Pure Food Congress, Chicago.'

Minister at Washington authorized to appoint
delegates to.

No. 1624.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 31st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department unnumbered instruction of April 15th, directing me to extend to the Chinese Government, on behalf of the National Association State Dairy & Food Departments, an invitation to be represented at an International Pure Food Congress to be held at St. Louis in connection with the Louisiana Purchase Exposition.

The reply of the Foreign Office announces that Sir Liang-ch'en, the Chinese Minister to the United States, has been instructed to take the matter under advisement, and to send representatives at the proper time.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 14[illegible]

May 31st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department unnumbered instruction of April 15th, directing me to extend to the Chinese Government, on behalf of the National Association State Dairy & Food Departments, an invitation to be represented at an International Pure Food Congress to be held at St. Louis in connection with the Louisiana Purchase Exposition.

The reply of the Foreign Office announces that Sir Liang-ch'en, the Chinese Minister to the United States, has been instructed to take the matter under advisement, and to send representatives at the proper time.

I have the honor to be, Sir,

Your obedient servant,

[signature]

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DEPT OF STATE
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1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU
Usual treatment.
Ack. asks

DIPLOMATIC
JUL 22 1904
BUREAU.

No. 1625.

May 31, 1904.

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Mr. Conger to the Secretary of State.

acknd. J. Ryan
to H. J. July 23

Jill D.F.

Subject:

International Dental Congress - Chinese Minister at Washington to appoint delegates to.

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No. 1826.

May 31, 1904.

Mr. Conger to the Secretary of State.

Subject:

International Dental Congress - Chinese Minister at Washington to appoint delegates to.

No. 1625.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

May 31st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department unnumbered instruction of April 18th, directing me to extend an invitation in the usual form to the Government of China to be represented by delegates at the Fourth International Dental Congress to be held in connection with the Louisiana Purchase Exposition at St. Louis.

In reply to this invitation I have been informed that Sir Liang-ch'en, the Chinese Minister to the United States, has been instructed to give his attention to the matter, and at the proper time to appoint delegates to attend this Congress.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1624.

May 21st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the Honor to acknowledge the receipt of Department unnumbered dated/tion of April 13th, directing me to extend an invitation in the usual form to the Government of China to be represented by delegates at the Fourth International Dental Congress to be held in connection with the Louisiana Purchase Exposition at St. Louis.

In reply to this invitation I have been informed that Sir Liang-cheng, the Chinese Minister to the United States, has been instructed to give his attention to the matter, and at the proper time to appoint delegates to attend this Congress.

I have the honor to be, Sir,

Your obedient servant,

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DEPT OF STATE
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2 A SECRETARY

DIPLOMATIC BUREAU
To Interior Dept.
To Librarian of Congress.
Ack. approving and
Congrs attention to
this important
matter.

LEGATION OF THE UNITED STATES OF AMERICA.
PEKIN, CHINA.

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JUL 22 1904
BUREAU.

No. 1626.

June 1, 1904.

Rec'd & ans'd
Interior and
Library of Congress
July 23, 1904

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REC'D.
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Mr. Conger to the Secretary of State.

INDEX BUREAU
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Subject:

American Trade-marks, copyrights, etc.
Correspondence with Foreign Office on subject of.
Regulations not yet adopted, progress made.

No. 1124.

June 1, 1904.

Mr. Conger to the Secretary of State.

Subject:

American Trade-marks, copyrights, etc.

Correspondence with Foreign Office on subject of.

Regulations not yet adopted, progress made.

No. 1626.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 1st, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to submit herewith a report of recent correspondence with His Imperial Highness, Prince of Ch'ing, with regard to the adoption, by the Chinese Government, of Regulations for the protection of American citizens in the exclusive use, within the Empire of China, of Trade Marks, Patents, and Copyrights, as provided for in the new commercial treaties between China and other Powers.

On November 21st, 1903, before the ratification of the new commercial treaty between China and the United States, I wrote to His Imperial Highness, calling attention to the fact that Article VII of the recently ratified commercial treaty between China and Great Britain provided for the protection of foreigners in the use of Trade Marks in China, and inquired what steps had been taken to carry out these provisions, what procedure was necessary on the part of Americans to secure the registration of their Trade Marks, and what fee would be required for such registration.

On the 25th of November I received a reply from His Imperial Highness, saying that in the Seventh Moon (August-September) he had sent instructions to the Superintendents of Trade for the North and the South, to consult together and prepare a report on the subject; that His Excellency the Viceroy Yuan Shih-k'ai, Superintendent of Trade for the North, had made a reply, but that none had as yet been received from His Excellency Wei Kuang-tao, Viceroy at

Nanking,

No. 1[illegible].

June 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to submit herewith a report of recent correspondence with His Imperial Highness Prince of Ch'ing, with regard to the adoption, by the Chinese Government, of Regulations for the protection of American citizens in the exclusive use, within the Empire of China, of Trade Marks, Patents, and Copyrights, as provided for in the new commercial treaties between China and other Powers.

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Nanking, and Superintendent of Trade for the South; that he had written again to the latter urging his immediate attention to the subject, and that upon receipt of his report Regulations would be adopted which would be communicated to me. He did not, however, inform me of the tenor of the reply received from the Superintendent of Trade for the North.

On the 12th of March, 1904, no further communication having been received in the meantime from His Imperial Highness, and many inquiries having been made at this Legation by American citizens with regard to the matter, I wrote to the Prince again, reminding him that the ratifications of the new commercial treaty between China and the United States had been exchanged, and that the treaty was already in force, and that Articles IX, X, and XI of said treaty, the full text of which I quoted to him, provided for the protection of citizens, firms, and corporations of the United States in the exclusive use in China of lawful Trade Marks, as well as for the establishment of a Patent Office, and the adoption, by China, of special laws for the protection, for a term of years, of American Patents and Copyrights. I inquired of His Imperial Highness what course of procedure it would be necessary for American citizens to take in order to secure the promised protection.

On the 26th of March the Prince replied that upon receipt of my despatch he had at once written to the Board of Commerce, inquiring what action had been taken upon the subject, and that the Board of Commerce had replied that the matter was under consideration and that Regulations were being compiled, and that as soon as they should be completed a memorial would be submitted to the Throne asking for their approval, upon which they would

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Throne asking for their approval, upon which they would
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be published and sent to the Board of Foreign Affairs to be communicated to the Representatives of the Foreign Powers.

Nearly two months elapsed, and no further communication upon this subject was received from the Prince of Ch'ing, and on May 20th, therefore, I wrote to him again, calling attention to the long delay, and requested him to communicate again with the Board of Commerce and urge immediate action upon the subject.

On the 28th of May I received a reply from the Prince, saying:

"I have the honor to acknowledge the receipt of Your Excellency's letter regarding the establishment of a special office to have charge of the matter of protecting new inventions, new books, etc., and of registering patents. Your Excellency asked how the matter was being dealt with, and hoped that we would communicate with the Board of Commerce urging their immediate attention to the matter.

I have the honor to state that such a letter urging the Board of Commerce to act was written, and a reply received as follows:

'In regard to protecting patent rights, copyrights and registered trade-marks, this Board desires to state that it is even now busily engaged in mapping out a plan to be put into operation. Sir Robert Hart, the Inspector General of Customs, has drawn up twelve rules for the registration of trade-marks, and this Board has proposed eight more. As we are now only making a beginning in this matter, the entire set of rules which we propose should be most carefully gone over and examined; they must be chosen to cover a wide field, and must prove thoroughly satisfactory; both Chinese and foreign merchants must

obey

be published and sent to the Board of Foreign Affairs to be communicated to the Representatives of the Foreign Powers.

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obey the same rules. This Board has gone over the original proposed regulations and examined them with especial care. Moreover we have made selection from the rules for registration used by various other countries, weighed their advantages and disadvantages, and decided to propose for a trial a set of twenty-eight regulations, and a supplementary list of twenty-three minor rules. Books of reference arranged according to subject, and the form for the Certificate of Protection have also been decided upon. It becomes our duty therefore to make this report to the Board of Foreign Affairs, that they may deliberate upon it and send us an answer upon which we may rely in the matter. But as to the patent rights and copyrights we shall have to wait until we see the result of the registration of the trade-marks, before dealing with either of them. It is hoped, however, that this information will be transmitted in advance to the United States Minister.'

Having received this report it becomes my duty to forward it to Your Excellency, and at the same time I avail myself of the opportunity to wish Your Excellency the compliments of the season."

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

obey the same rules. This Board has gone over the original proposed regulations and examined them with especial care. Moreover we have made selection from the rules for registration used by various other countries, weighed their advantages and disadvantages, and decided to propose for a trial a set of twenty-eight regulations, and a supplementary list of twenty-three minor rules. Books of reference arranged according to subject, and the form for the Certificate of Protection have also been decided upon. It becomes our duty therefore to make this report to the Board of Foreign Affairs, that they may deliberate upon it and send us an answer upon which we may rely in the matter. But as to the patent rights and copyrights we shall have to wait until we see the result of the registration of the trade-marks, before dealing with either of them. It is hoped, however, that this information will be transmitted in advance to the United States Minister.'

Having received this report it becomes my duty to forward it to Your Excellency, and at the same time I avail myself of the opportunity to wish Your Excellency the compliments of the season."

I have the honor to be, Sir,

Your obedient servant,

H. Collamore

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1627.

June 2, 1904.

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REC'D.
JUL
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Mr. Conger to the Secretary of State.

Subject:

Complying with Department circular of March 2, Chinese Government advised of rules with regard to "Visits of Foreign War Vessels."

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No. 127.

June 2, 1904.

Mr. Conger to the Secretary of State.

Subject:

Complying with Department circular of March 2,
Chinese Government advised of rules with regard to
"Visits of Foreign War Vessels."

No. 1627.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of March 2nd, entitled "Visits of Foreign War Vessels."

This report has been communicated to the Government of China, and in reply I have been informed that the Board of Commerce and the Superintendents of Trade for the North and South have been duly advised.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

June 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of March 2nd, entitled "Visits of Foreign War Vessels."

This report has been communicated to the Government of China, and in reply I have been informed that the Board of Commerce and the Superintendents of Trade for the North and South have been duly advised.

I have the honor to be, Sir,

Your obedient servant,

DEPT OF STATE
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DIPLOMATIC BUREAU

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LEGATION OF THE UNITED STATES OF AMERICA.
PEKIN, CHINA.

DIPLOMATIC
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No. 1628.

June 2, 1904.

Rec'd
with Cons's letter
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Mr. Conger to the Secretary of State.

Subject:

Harbor Regulations for port of Canton.

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No. 1279.

June 2, 1904.

Mr. Conger to the Secretary of State.

Subject:

Harbor Regulations for port of Canton.

No. 1628.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my despatches numbered 1491 and 1536, of February 4th and March 12th last, respectively, I have the honor to enclose herewith a final, corrected copy of the Harbor Regulations for the Port of Canton, and a copy of a note from the Foreign Office informing me that these Regulations have now been duly put into operation.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Set of Harbour Regulations,
2. Prince Ch'ing to Mr. Conger, May 22nd, 1904.

No. 1471

June 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my despatches numbered 1431 and 1536, of February 4th and March 12th last, respectively, I have the honor to enclose herewith a final, corrected copy of the Harbor Regulations for the Port of Canton, and a copy of a note from the Foreign Office informing me that these Regulations have now been duly put into operation.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Set of Harbour Regulations.

2. Prince Ch'ing to Mr. Conger, May 22nd, 1904.

Enclosure No. 1. In Despatch No. 1628

HARBOUR REGULATIONS
FOR THE PORT OF
CANTON.

1. The Canton Anchorage is within the following boundaries:

On the South :—A line drawn due East and West through the centre of Macao Fort.

On the West :—A line drawn S. 66 W. from the Five Storeyed Pagoda across the river on both sides of Belcher Island.

On the East ;—A line drawn due South from Execution Point to Navy Yard, Honam.

e Whampoa Anchorage is included between a straight line drawn from the N. W. point of No. Flat Island to a mound on the Eastern end of Louisa Island, for the Eastern or Lower Limit; d a line drawn from Gully Point on the South side of American Reach to a Creek on the North le, and from Sulphur Point E. N. E. to the North Bank of the Main River, for the Western or pper Limit.

2. Vessels entering the Anchorage will be boarded by the Berthing Officer, who will direct em to proper berths.

3. River and Coast Steamers having determined berths, are allowed, on arrival, to proceed such berth without stoppage.

4. Regular river and coast steamers having explosive, dangerous or inflammable cargo on ard are to be governed by Clauses 13, 14 and 21 of these Regulations.

5. Vessels are to moor in accordance with the orders received from the Harbour Master, d not to shift their berths or remove from the anchorage without a special permit except when tward bound and after having obtained their clearance papers.

6. Applications for berths or for permission to shift must be made at the Harbour Master's ffice at the Custom House by the Shipmaster, the First Officer, or Pilot in charge, when necessary structions concerning the berth will be given.

7. Vessels are required to exhibit lights as laid down in the Regulations for Preventing llisions at Sea.

8. No vessels except men-of-war may use swinging booms. The swinging booms of men-of-r shall be rigged in from sunset until sunrise.

9. Vessels are required to keep their chains clear, especially towards the full and change of e moon.

10. Vessels are required not to have lines out to buoys, wharves, or other vessels any longer an necessary when shifting their berths.

11. Lighters and other boats are not to be made fast to vessels in such a manner or in such mbers as to interfere with the safe passage of other boats or vessels through the Harbour.

12. Merchant vessels shall not fire cannon or small arms within the limits of the Port with-t written permit from the Harbour Master.

13. Vessels arriving at this Port and having on board, as cargo, in whatever quantity, ex-losive goods, such as nitro-glycerine, dynamite, blasting powder, etc., shall abide by the instruc-ons received from the Customs concerning the discharge of the same. Such vessels shall fly a d flag at the fore and shall anchor below Macao Fort at Canton, and at Whampoo at a distance not less than a mile outside the lower limit.

Vessels having to receive on board any such explosives as cargo from the Port shall obser similar precautions in all respects.

14. Vessels arriving at the Port and having on board as cargo any dangerous goods, such loaded Shell or more than one hundred pounds of Gunpowder, or any quantity of Fixed Ammun tion in excess of twenty thousand rounds or the aggregate powder charges of which exceed on hundred pounds, etc., etc., and vessels having to receive on board as cargo any such articles quantity or number exceeding what is above specified in this Regulation, shall, as regards berthi and other precautions, be governed by Clause 13 of these Regulations.

15. Vessels shall only by special permit be allowed to take on board or discharge explosiv dangerous or inflammable goods between sunset and sunrise.

16. No lighters or other boats, except those which have permanent decks or coverings, sha be allowed to receive any of the articles mentioned in Clauses 13 and 14 of these Regulations fro on board any vessel bringing such articles to this Port; and all such articles when received o board any such lighter or boat must be stowed under deck or within the permanently closed-i space.

17. Every craft, of whatever description, conveying explosive, dangerous or inflammab goods through any part of the waters of the Port shall exhibit a red flag, not less than 6 feet lon by 4 feet wide, at the foremast head or where it can best be seen; and, in the case of all boa or lighters thus employed, and which are not fitted with masts, the flag must be exhibited at height of not less than 12 feet above the highest part of the deck or house.

18. No lighter or other boat having explosive or dangerous goods on board shall be allowe to make fast anywhere in the Harbour nor to delay on the way to its destination.

19. No fires, for cooking or any other purpose, and no smoking shall be allowed on board an lighter or other boat when going alongside a vessel that has explosives on board, nor while ther are any explosives on board such lighter or boat.

20. Explosives of any sort shall not be stored anywhere on or near the shores of the Ha bour, except with the permission of the Customs Authorities.

21. Vessels arriving at this Port and having on board inflammable goods, such as miner oil, calcium carbide, etc., shall be berthed in a special anchorage set apart from time to time b the Harbour Authorities, and shall remain there until such goods have been discharged. Unt further notice, this special Anchorage will be between Bird's Nest Fort and Macao Fort at Canto and at Whampoa outside the lower limits. Vessels with inflammable cargo shall hoist "H.Z.F. "Inflammable Cargo" on entering the Harbour and keep it flying during daylight.

A vessel arriving with a contagious disease on board shall not come nearer than the lower limits o the Harbour, shall fly at the fore a *yellow* flag, and shall not allow anyone to disembark or come o board without permission of the Harbour Master's Office.

22. No Hulks or Pontoons may be moored, Piles driven, Jetties built or encroachment made on th waters of the Harbour before plans have been submitted to the Customs, and until after du consideration and sanction of the competent Authorities, Chinese and Consular, concerned.

23. No ballast, ashes, rubbish, etc, may be thrown overboard.

24. All vessels in Port must keep on board a sufficient number of hands to clear and pay ou chain, etc., when required.

25. Vessels on arriving in Port must, as soon as possible, rig in their jibbooms, and must no subsequently rig them out, while within the Harbour Limits, without permission from the Harbo Master.

26. No buoys or fixed moorings may be laid down without the sanction of the Harbour Maste and his approval of the moorings by which they are to be held in position. Unoccupied buoys mus be lighted from sunset to sunrise.

27. Buoys that are already laid down are subject to the control of the Harbour Master, and where ey are so placed as to obstruct the passage of vessels through the Harbour, or are not moored in such a y as to economise berthing space, the Harbour Master will be at liberty to order them to be shifted. case of refusal or neglect on the part of the owners of a buoy to shift its position as directed by the arbour Master, the latter may cause it to be removed at the risk of the owners thereof.

28. In case of fire occurring on board of a vessel in Port the bell must be rung immediately by that ssel and by those above and below her, and the signal "N. M." International Code, ("I am on fire") isted by the burning vessel if possible, during the day, or the light lowered and hoisted continually ring the night. Notice should be sent immediately to the Custom House.

29. The blowing of steam whistles or sirens except for the purpose of signalling in accordance with e Regulations for preventing Collisions at sea, or for the purpose of warning vessels of danger, is forbidden.

30. No steamer or steam launch may steam at such a speed as may render its wash dangerous to other aft or other property afloat or ashore.

No boat or other vessel shall, without authority, make fast to a vessel under way.

Cargo boat licenses are issued by the Harbour Master; they are numbered and not transferable. ch licenses are valid for one year only, and must be renewed in April every year. They are issued and newed without fee.

Cargo boats are not permitted to remain alongside vessels not working.

Cinder boat licenses will be issued by the Harbour Master.

31. Vessels infringing Clauses 13 and 14 of these Regulations by coming within the Harbour limits th explosive or dangerous cargo on board in excess of the quantity therein allowed, will be notified by e Harbour Master to proceed to the Anchorages indicated in these clauses, and their entrance, working d clearance will be stopped by the Customs until this notice is complied with. All other vessels not cupying the berth assigned to them as required by the 2nd and 5th Clauses of the above Regulations, are ewise liable to have their entrance, working, and clearance stopped by the Customs until the Harbour ster report them as berthed in accordance with his directions.

Masters of vessels committing breaches of the other Regulations will be dealt with by the Consular or other thority concerned; and infringements by any lighter or other boat will be dealt with by the Authority whom the owner of such lighter or boat is amenable.

32. Any modification of the present regulations which may be proposed in the future, should be proved by the Consular Body before being put into force.

F.O.No. 677.

Enclosure No. 2 In Despatch No. 1628

Prince Ch'ing to Mr. Conger.

On the 16th inst. this Board received from the Acting Viceroy of the two Kwang, a communication from the (Acting) Commissioner of Customs of Canton, Mr. de Luca, saying that a set of harbor regulations for Canton had long been under consideration without being settled. Many times have former Commissioners of Customs discussed the matter of regulations with the various Consuls, but none have ever been put into operation. Then the former Commissioner of Customs, Mr. Morse, got out a rough draft for a system in conjunction with the Consuls of the various nations. In the eighth Moon of last year, (Sept.- Oct. 1903) Mr. Morse sent an outline (written in English) of the proposed regulations to the Viceroy for his inspection. The Senior Consul at Canton also sent a copy of the same to the Ministers at Peking for their approval. The Acting Commissioner of Customs has now received from the Senion Consul a communication saying that in the thirty articles of the said regulations there were several places that needed a little correction and that with the said corrections made, the foreign Ministers approved. Now, therefore, the Acting Commissioner of Customs has sent the Viceroy a copy of the thirty-two articles as decided upon, and he asks that they be approved and put into operation. So the Viceroy has ordered that these rules be hereafter adhered to, and has sent word to that effect to the Provincial Treasurer and the Board of Re-organization that they may conform to the regulations. Besides this the Viceroy asks that the Foreign Board inform the Ministers in Peking that the regulations have been put into operation.

This Board has the honor to state that these thirty-two River and Harbor Regulations, having been drawn up by the said Commissioner of Customs in conference with the Consuls, and approved by the Viceroy, and the Ministers in

Enclosure No.2 In Despatch No.165

Prince Ch'ing to Mr. Conger.

On the 16th inst. this Board received from the Acting Viceroy of the two Kwang, a communication from the (Acting) Commissioner of Customs of Canton, Mr. de Luce, saying that a set of harbor regulations for Canton had long been under consideration without being settled. Many times have former Commissioners of Customs discussed the matter of regulations with the various Consuls, but none have ever been put into operation. Then the former Commissioner of Customs, Mr. Morse, got out a rough draft for a system in conjunction with the Consuls of the various nations. In the eighth Moon of last year,(Sept.- Oct. 1903) Mr. Morse sent an outline(written in English)of the proposed regulations to the Viceroy for his inspection. The Senior Consul at Canton also sent a copy of the same to the Ministers at Peking for their approval. The Acting Commissioner of Customs has now received from the Senior Consul a communication saying that in the thirty articles of the said regulations there were several places that needed a little correction and that with the said corrections made, the foreign Ministers approved. Now, therefore, the Acting Commissioner of Customs has sent the Viceroy a copy of the thirty-two articles as decided upon, and he asks that they be approved and put into operation. So the Viceroy has ordered that these rules be hereafter adhered to, and has sent word to that effect to the Provincial Treasurer and the Board of Re-organization that they may conform to the regulations. Besides this the Viceroy asks that the Foreign Board inform the Ministers in Peking that the regulations have been put into operation.

This Board has the honor to state that these thirty-two River and Harbor Regulations, having been drawn up by the said Commissioner of Customs in conference with the Consuls, and approved by the Viceroy, and the Ministers in

Peking, ought to be acceptable to all parties, and it becomes our duty to notify Your Excellency that they have been put into operation, that Your Excellency may instruct Foreign merchants to be guided by these rules.

A necessary despatch.

30th Year of Kuanghsü, 4th Moon, 8th Day.

(May 22nd, 1904.)

(Seal).

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comes our duty to notify Your Excellency that they have
been put into operation, that Your Excellency may instruct
Foreign merchants to be guided by these rules.

A necessary despatch.

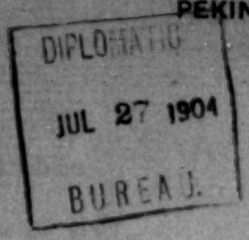
30th Year of Kuangsu, 4th Moon, 8th Day.

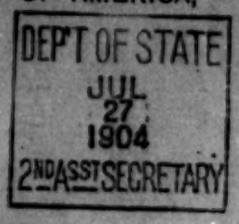
(May 22nd, 1904.)

(Seal).

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.







DIPLOMATIC BUREAU
Seen by Mr. Rockhill.
Ack & file.
aag

No. 1629.

June 7, 1904.

Mr. Conger to the Secretary of State.

file C.H.P. ack July 28, 1904

Subject:

Bankers' Commission at Shanghai. Views of the United States Government and confidential prints of Armstrong-McCoy report communicated to colleagues. They must await instructions.

(Instruction No. 785 of April 9, 1904)

No. 44.

June 7, 1904.

Mr. Conger to the Secretary of State.

Subject:

Bankers' Commission at Shanghai. Views of the United States Government and confidential points of Armstrong-McCoy report communicated to colleagues. They must await instructions.

(Instruction No. "85 of April 9, 1904)

No. 1629.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to Department Instruction No. 785 of April 9th last, concerning the irregular proceedings and unauthorized assumption of power by the Bankers' Commission at Shanghai, I have the honor to report compliance therewith by writing to the Dean of the Diplomatic Corps the note a copy of which I enclose.

The Dean duly circulated the note among the Colleagues, but no reply has been made by any of them except to endorse on the circular an acknowledgement, by some, that it had been seen, and by others that they would refer it to their Governments for instruction. None of them seemed willing to commit themselves, and some of them think the question of silver or gold payment should first be definitely determined.

The French Minister, by direction of his Government, has proposed that the Consular Corps at Shanghai should supervise the proceedings of the Bankers' Commission, but this proposition is meeting with little or no support from the Representatives of the Powers here. I enclose copy and translation of his note.

I have also delivered to each of my Colleagues three of the confidential prints of the Armstrong-McCoy Report as directed in your Instruction No. 790 of April 20th. They appear grateful, and most of them have referred the report to their Governments.

I fear that nothing can be accomplished with the Bankers

No.

June 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to Department Instruction No. 785 of April 5th last, concerning the irregular proceedings and unauthorized assumption of power by the Bankers' Commission at Shanghai, I have the honor to report compliance therewith by writing to the Dean of the Diplomatic Corps the note a copy of which I enclose.

The Dean duly circulated the note among the Colleagues but no reply has been made by any of them except to endorse on the circular an acknowledgement, by some, that it had been seen, and by others that they would refer it to their Governments for instruction. None of them seemed willing to commit themselves, and some of them think the question of silver or gold payment should first be definitely determined.

The French Minister, by direction of his Government, has proposed that the Commercial Corps at Shanghai should supervise the proceedings of the Bankers' Commission, but this proposition is meeting with little or no support from the Representatives of the Powers here. I enclose copy and translation of his note.

I have also delivered to each of my Colleagues three of the confidential prints of the Armstrong-McCoy Report as directed in your Instruction No. 780 of April 30th. They appear grateful, and most of them have referred the report to their Governments.

I fear that nothing can be accomplished with the Bank-

ers

ers' Commission except by instructions to each member thereof sent directly by his own Government.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to the Dean, May 24th, 1904.
2. Mr. Dubail to the Dean. " 27th.

ers' Commission except by instructions to each member there-
of sent directly by his own Government.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Mr. Cooper to the Dean, May 24th, 1906.

2. Mr. Duval to the Dean.

Mis. No.2285.

Enclosure No./ In Despatch No./629

Legation of the United States of America,

Peking, May 24th, 1904.

My dear Dean:

On the 28th of December last His Excellency Sir Ernest Satow submitted to his Colleagues, a proposition that the rates of exchange employed by the Bankers' Commission at Shanghai, when settling for the conversion into gold of the semi-annual payments of the indemnity arising out of the "Boxer" troubles, should be fixed by popular tender, evidently for the purpose of avoiding the possibility of injustice towards China, and, at the same time, fully protecting the interests of the Governments sharing in the indemnity.

Upon the same subject our Honorable Colleague from the Netherlands circulated a letter from Mr. van Walree, of The Hetherlands Trading Company's Bank. He agrees with the contention of the British Minister that the rates of exchange fixed by the Bankers' Commission for the semi-annual payments referred to are too high, and after showing the reasons which have influenced the various interested banks in Shanghai in fixing these rates, and the injurious effect such action has on trade, suggests another method of procedure.

A thorough investigation of the operations of the Commission of Bankers has recently been made by a commission of Treasury Experts under instructions from the Department of State of the United States; the report of which supports the conclusions of Sir Ernest Satow and of Mr. van Walree, that the present method of conversion into gold of the semi-annual payments followed by the Commission tends to work great injustice to China, and to the Powers who must finally pay the arbitrary charges, in case China refuse to pay them.

Mia. No.2285.

Enclosure No./ In Despatch No.1629

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The assumption by the Bankers' Commission that China should be charged with the cost of transferring from Shanghai to the respective countries the money received by the Powers on account of the indemnity, is wholly unauthorized, and is in contravention of the express provision of Article VI (b) of the Final Protocol, which states: "The service of the debt shall take place at Shanghai;" and not, as the Commission assumes, in the capitals of the various Powers.

I therefore respectfully call the attention of my Honorable Colleagues to the fact that paragraphs (b), (c), and (d) of Article VI of the Final Protocol clearly define the duties and powers of the Commission of Bankers. From these it will be seen that, acting always in a clearly clerical capacity, the Commission is:

1. to receive the money that the Powers have agreed with China shall be paid;

2. to give a receipt for it, and

3. to divide it among the interested parties.

Notwithstanding the clearness of the above terms, the Commission has assumed other powers which have certainly not been conceded to it by the United States Government, nor, it is believed, by the other Governments interested, and which tend to injure the interests of China and impair the rights of the Representatives of the interested Governments on the Commission.

The interpretation put on the provision of the Final Protocol, fixing the "service of the debt" at Shanghai, belongs to the first class.

The right claimed by the Commission to give unequal value to the votes of the various delegates on the Commission; its refusal to transmit to the Chinese Authorities for signature as provided in paragraph (c), the fractional bonds which the Government of the United States had

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The right claimed by the Commission to give unequal value to the votes of the various delegates on the Commission; its refusal to transmit to the Chinese Authorities for signature as provided in paragraph (c), the fractional bonds which the Government of the United States had

instructed its delegate to have signed; its claim to fix a rate of exchange binding on all the Powers and their Agents for converting the funds paid on account of the indemnity, are notable cases of the Commission's assumed power to curtail the equal rights of the signatories of the Final Protocol.

It is the opinion of my Government that under the Protocol, the Bankers' Commission has no authority to make decisions; the United States Government has never agreed to giving it such authority, and they cannot possibly be binding upon it nor its Agent.

If my Honorable Colleagues agree with me in the above conclusions as to the present management of the business of the Bankers' Commission, I would respectfully request that they will co-operate in an insistence that the Commission confine itself to discharging its duties in accordance with the plain provisions of the Final Protocol quoted above, and not arrogate to itself powers which can only be exercised by the various Governments under whose orders it acts.

Begging Your Excellency to bring this to the sognizance of our Honorable Colleagues, I improve the opportunity to reiterate, my dear Dean, the assurance of my highest consideration.

(Signed) E. H. Conger.

His Excellency,

Baron Czikann,

Minister of Austria-Hungary, and

Dean of the Diplomatic Corps.

instructed its delegate to have signed; its claim to fix a rate of exchange binding on all the Powers and their Agents for converting the funds paid on account of the indemnity, are notable cases of the Commission's assumed power to curtail the equal rights of the signatories of the Final Protocol.

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Begging Your Excellency to bring this to the cognizance of our Honorable Colleagues, I improve the opportunity to reiterate, my dear Dean, the assurance of my highest consideration.

(Signed) M. H. Conger.

His Excellency,

Baron Calkeun,

Minister of Austria-Hungary, and

Dean of the Diplomatic Corps.

Enclosure No. 2 In Despatch No. 1629

Légation de la Republique Française en Chine,

Pékin le 27 Mai 1904.

Monsieur le Ministre et Cher Doyen:

A la suite des réclamations qui ont été soulevées pour la fixation du taux de change de l'indemnité chinoise par la commission des Banquiers, mon Gouvernement s'est préoccupé des moyens d'assurer le contrôle des opérations qui donnaient lieu à ces observations.

Il a pensé que la coopération du Corps Consulaire de Shanghai aux opérations de la Commission des Banquiers pourrait présenter de sérieuses garanties, et j'ai l'honneur de vous prier de soumettre cette suggestion à mes honorables collègues. Si elle reçoit leur approbation en principe, il y aura lieu d'examiner dans quelle mesure et comment le corps consulaire pourrait être appelé à exercer le contrôle des opérations de change d'une manière efficace.

Veuillez agréer, Monsieur le Ministre et Cher Doyen, les assurances de ma haute considération.

(Signed) G. Dubail.

Enclosure No.2 In Despatch No. 1677

Legation de la République Française en Chine,

Pékin le 27 Mai 1904.

Monsieur le Ministre et Cher Doyen:

A la suite des reclamations qui ont été soulevées pour la fixation du taux de change de l'indemnité chinoise par la commission des Banquiers, mon Gouvernement a'est préoccupé des moyens d'assurer le controle des operations qui donnaient lieu a ces observations.

Il a pensé que la cooperation du Corps Consulaire de Shanghai aux operations de la Commission des Banquiers pourrait présenter de sérieuses garanties, et j'ai l'honneur de vous prier de soumettre cette suggestion a mes honorables collegues. Si elle reçoit leur approbation en principe, il y aura lieu d'examiner dans quelle mesure et comment le corps consulaire pourrait être appelé a exercer le controle des operations de change d'une manière efficace.

Veuillez agreer, Monsieur le Ministre et Cher Doyen, les assurances de ma haute consideration.

(Signed) G. Dubail.

(Signed) K. H. Conger.

Excellency,

Baron Czikann,

Minister of Austria-Hungary, and

Dean of the Diplomatic Corps.

Translation.

Enclosure No.2 In Despatch No.1629

Legation of the French Republic in China,

Peking, May 27th, 1904.

Mr. Minister & Dear Dean:

As a result of the complaints which have arisen regarding the fixing of the rate of exchange by the Bankers' Commission for the payments of the Chinese indemnity, my Government has been considering means of insuring the proper control of the operations which have given rise to these criticisms.

It thinks that the co-operation of the Consular Corps in Shanghai, in the transactions of the Bankers' Commission, would offer serious guarantees, and I have the honor to beg you to submit this suggestion to my Honorable Colleagues. If it meets with their approbation in principle, it will then be necessary to see to what extent and in what way the Consular Body can be called upon to control questions of exchange in an effective manner.

Accept, Mr. Minister and dear Dean, the assurance of my highest consideration.

(Signed) G. Dubail.

Translation.

Enclosure No. 2? In Despatch No. 1619

Legation of the French Republic in China,

Peking, May 27th, 1904.

Mr. Minister & Dear Dean:

As a result of the complaints which have arisen re-
garding the fixing of the rate of exchange by the Bankers'
Commission for the payments of the Chinese indemnity, my
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It thinks that the co-operation of the Consular Corps
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Colleagues. If it meets with their approbation in prin-
ciple, it will then be necessary to see to what extent and
in what way the Consular Body can be called upon to con-
trol questions of exchange in an effective manner.

Accept, Mr. Minister and dear Dean, the assurance of
my highest consideration.

(Signed) G. Dubail.

ASSISTANT SECRETARY.
JUN 8 1904

TELEGRAM RECEIVED IN CIPHER.

1 CB.WC.KQ. 28 U.S.G. via Pacific From Peking.

DIPLOMATIC
JUN 8 1904
BUREAU.

(Received 12:51 a.m., June 8, 1904.)

SECSTATE,
Washington.

Lewis Etzel killed, in junk, at sea, by Chinese soldiers; body now at New Chwang, expecting further information from Miller.

Congor.

FOR RELS. 1904.

INDEX BUREAU
JUN 14 1904
FILED

PARTMENT OF STATE
8 9 11 AM 1904
EP CLERK'S OFFICE

No. 1630.

DEPT OF STATE JUL 22 1904 ASSISTANT SECRETARY

DIPLOMATIC BUREAU

July 23, 1904

LEGATION OF THE UNITED STATES
PEKIN, CHINA.

DIPLOMATIC JUL 22 1904 BUREAU.

INDEX BUREAU RECEIVED JUL 22 1904 DEPT. OF STATE

June 8th, 1904.

CHIEF CLERK, JUL 21 1904 Department of State

Mr. Conger to the
Secretary of State.

FOR RELS. 1904.

Subject: The Whangpu Conservancy Board. Continuing No. 1603 of May 12. Proposals made to Consular Body of Shanghai by the Nanking Viceroy. Views of the Diplomatic Corps regarding this action. The situation and prospects.

INDEX BUREAU JUL 27 1904 FILED

No. 1630.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In continuance of my No. 1603 of May 12th last, concerning the Whangpu Conservancy Commission, I have the honor to report that upon receipt of the proposals of the Nanking Viceroy, copy enclosed herewith, transmitted here by the Consular Body of Shanghai, the Dean of the Diplomatic Corps circulated them among the Representatives of the Powers signatory of the Final Protocol. I enclose copies of the endorsements made on the circular by the German and British Ministers, with which all the Colleagues agreed except the French Minister who says he must ask his Government for instructions.

There can be no doubt that the French have been quietly, but continually, opposing the organization of the Commission all the time, and, this being known to the Chinese, it has encouraged them in their persistent delay in the appointment of their Representative.

It seems to me, as I have heretofore written, that the organization of the Commission need not await the Chinese appointment. If, at any time after the organization, a vacancy should occur, the Commission would not stop business until it was filled; why, then, should the failure of the Chinese to avail themselves of the privilege to appoint a member prevent the Commission from doing business now. Besides, Article XI of Annex 17 of the Final Protocol provides that four members shall constitute a quorum of the Commission.

Unless

No. 1430.

June 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In continuance of my No. 1403 of May 18th last, concerning the Wenchow Conservancy Commission, I have the honor to report that upon receipt of the telegram of the Nanking Viceroy, copy enclosed herewith, transmitted here by the Consular Body of Shanghai, the Dean of the Diplomatic Corps circulated them among the Representatives of the Powers signatory of the Final Protocol. I enclose copies of the observations made on the circular by the German and British Ministers, with which all the Colleagues agreed except the French Minister who says he must ask his Government for instructions.

There can be no doubt that the French have been quietly, but continually, opposing the organization of the Commission all the time, and this being known to the Chinese, it has encouraged them in their persistent delay in the appointment of their Representative.

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Yours

Unless I am otherwise instructed I shall advocate this view with my Colleagues and advise action in accordance therewith.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Copy of proposal of Nanking Viceroy,
2. Copy of endorsements of German and British Ministers.

Unless I am otherwise instructed I shall advocate this view with my Colleagues and advise action in accordance therewith.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Copy of Proposal of Nanking Viceroy,
2. Copy of endorsements of German and British Ministers.

1. in 1630

Consular Service, U. S. A.,

Shanghai, May 11th, 1904.

Excellency:

I am directed by my Colleagues to inform you that H. E. Wei, Viceroy at Nanking, has requested us to lay before you his proposal to substitute the hereto attached five rules for Annex 17 of the Final Protocol.

The following motion is now before the Consular Body: "The Consular Body of Shanghai decides in accordance with (1) paragraph b Article II of the Peace Protocol signed at Peking on Sept. 7 1901, and (2) annex 17 of the same Protocol, to give notice to H. E. the Viceroy at Nanking that the first meeting of the Huangpu River Conservancy Board will take place on (say, July 1st)next."

We respectfully ask instruction of the Diplomatic Body on the above.

I have the honor to be,

Excellency,

Your obedient servant,

(Signed) John Goodnow,

Consul-General U. S. A. and Senior Consul.

H. E. Baron Czikann von Wahlborn,

H.A.P.M.'s E.E.& M.P., and Doyen Corps Diplomatique,

&c &c &c.

Peking, China.

No. 1.

Consular Service, U. S. A.,

Shanghai, May 11th, 1904.

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Excellency,

Your obedient servant,

(Signed) John Goodnow,

Consul-General U. S. A. and Senior Consul.

H. E. Baron Czikann von Wahlborn,

H.A.P.M.'s E.E.& M.P., and Doyen Corps Diplomatique,

&c &c &c.

Peking, China.

1 in 1630.

Projet de Règlement en Cinq Articles relativement aux travaux d'amélioration du Hoang-Pou soumis à l'approbation du Corps Consulaire pour le prompt commencement de ces travaux.

I. Les bateaux des grandes Puissances ont déjà des droits à payer, la Chine serait confuse de réclamer encore des contributions pour les dépenses des travaux du Hoang-pou aux étrangers qui viennent faire le commerce chez elle. Aussi le gouvernement chinois prélèvera sur les recettes de la douane une somme de 230,000 Tls. pour son compte et prendra aussi à son charge les 230,000 Tls. que les commerçants étrangers avaient consenti à fournir, cela fera en tout une somme de 460,000 Hk. Tls. qui sera versée annuellement jusqu'à l'achèvement des travaux.

II. Les travaux du Hoang-pou seront sous la direction du Taot'ai de Shanghai et de la douane; ce sera également la douane qui aura la haute main sur la police et les phares.

III. Trois mois après l'acceptation de ce projet de règlement, le gouvernement chinois invitera le concert des Puissances à nommer un ou deux ingénieurs spécialistes pour les travaux des fleuves qui dirigeront cette entreprise.

IV. Tous les trois mois, il sera dressé un état des dépenses faites pour les travaux qui sera soumis au corps consulaire.

V. Le gouvernement chinois s'engage à ne réclamer pour les travaux du Hoang-pou aucun impôt, soit à Shanghai soit aux endroits environnants, sur les bateaux, sur les marchandises ou sur les propriétés.

Projet de Reglement en Cinq Articles relativement aux travaux d'amélioration du Hoang-Pou soumis à l'approbation du Corps Consulaire pour le prompt commencement de ces travaux.

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1 in 1630

Translation.

Proposed Regulations, in five articles, with respect to the work of improvement of the Whangpoo, submitted for the approval of the Consular Body with a view to the prompt commencement of the work.

---oo Ooo----

1.

The vessels of the Great Powers having already paid customs dues, China would be embarrassed to call again upon foreigners who come to trade with her for contributions for the expenses of the Whangpoo improvements. Therefore the Chinese Government will set aside from the Customs revenues the sum of Tls 230,000. upon its own account and will assume the payment of the Tls. 230,000. which the foreign merchants have agreed to contribute, which will make a sum total of Tls 460,000. (Hk.) to be expended annually until the completion of the work.

11

The work of the Whangpoo improvement will be under the direction of the Tao-t'ai of Shanghai and the Commissioner of Customs; the commissioner of customs shall have the supervision of police, light-houses, etc. as well.

111

Three months after the acceptance of these proposed regulations the Chinese Government will ask the Representatives of the Powers to name one or two engineers specially qualified for the work of River Improvement who will have charge of the work.

Translation

Proposed Regulations, in five articles, with respect to the work of improvement of the Whangpoo, submitted for the approval of the Consular Body with a view to the prompt commencement of the work.

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II

The work of the Whangpoo improvement will be under the direction of the Tao-t'ai of Shanghai and the Commissioner of Customs; the commissioner of customs shall have the supervision of police, light-houses, etc. as well.

III

Three months after the acceptance of these proposed regulations the Chinese Government will ask the Representatives of the Powers to name one or two engineers specially qualified for the work of River Improvement who will have charge of the work.

IV

Every three months a statement of the expenses of the work will be prepared and submitted to the Consular Body.

V.

The Chinese Government binds itself not to levy for the Whangpoo improvements any tax whatsoever, either at Shanghai or elsewhere in the neighborhood, upon either vessels, cargo or property.

IV

Every three months a statement of the expenses of the work will be prepared and submitted to the Consular Body.

V.

The Chinese Government binds itself not to levy for the Whangpoo improvements any tax whatsoever, either at Shanghai or elsewhere in the neighborhood, upon either vessels, cargo or property.

I.

The vessels of the Great Powers having already paid customs dues, China would be embarrassed to call again upon foreigners who come to trade with her for contributions for the expenses of the Whangpoo improvements. Therefore the Chinese Government will not make from the Customs revenues the sum of Tls 350,000. upon its own account and will assume the payment of the Tls. 350,000. which the foreign merchants have agreed to contribute, which will make a sum total of Tls 440,000. (Mx.) to be expended annually until the completion of the work.

II

The work of the Whangpoo improvement will be under the direction of the Tao-tai of Shanghai and the Commissioner of Customs; the communications of customs chall have the supervision of police, light-houses, etc. as well.

III

Three months after the acceptance of these proposed regulations the Chinese Government will ask the Representatives of the Powers to name one or two engineers specially qualified for the work of River Improvement who will have charge of the work.

Enc. 2 in Des. 1630

CIRCULAIRE No. 100.

Pékin, le 24 Mai 1904.

Le Doyen a l'honneur de mettre en circulation une lettre de Doyen du Corps Consulaire de Shanghai concernant une proposition du Governeur Général de Nankin, de changer l'annexe 17 de Protocol Final relative aux travaux d'amélioration de Hoang- Pou (Whangpoo) et cpncernant les deliberations du Corps Consulaire de Shanghai a propos de la convocation de la Commission de Whangpooà une séance.

(Sd) M. Czikann.

-----ooOooo-----

La question de la correction du Whangpou a été reglée par l'article XI 6 et par l'annexe 17 du Protocole Final du 7 septembre 1901, signé par les Représentants de la China des Puissances Etrangères à Pekin. Par conséquent il n'est pas du ressort du Surintendant des ports méridionaux de faire de nouvelles propositions et d'en saisir le Corps Consulaire a Shanghai. La question à l'ordre du jour est non un changement des stipulations du Protocole Final agréés "à l'unanimité" par la Chine et les Puissances signataires de ce Protocole, ma la sonstitution du Conseil fluvial. Tous les membres de ce Conseil, excepté le Représentant à qui la Chine a droit par suite de l'article IVext h. de l'annexe sus-mentionné ayant été désignés depuis longtemps, cette constitution pourrait avoir lieu dès à présent. Si la Chine ne juge pas utile de désigne, le délégué à qui elle a droit par suite de son commerce maritime, cela n'empêche en aucune façon la réunion du Conseil qui pourra délibérer lorsque quatre de ses membres au moins seront présents et dont déjà deux Représentants du Gouvernement Chinois, le

Taotai

Enc. 2 in Des. 1850

CIRCULAIRE No. 100.

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Tsotai

Taotai et le Commissaire des Douanes à Shanghai font partie par suite de leurs offices.

Il me semble que le Doyen du Corps Diplomatique devrait répondre dans ce sens au Doyen du Corps Consulaire en le chargeant en même temps de notifier au Toatai et aux autres membres du Conseil de precéder incessament à la constitution du Conseil fluvial.

Si après la constitution de ce conseil le Gouvernement chinois juge à propos de soummettre aux Puissances intéressées des amendments changeant les stipulations du Protocole final rien ne s'oppose à ce que le Wai-woo-pu fasse des ouvertures dans ce sens aux Représentants des Puissances signatairesdu Protocole final et que ceux-ci en saisissent leurs Gouvermements respectifsz Mais on ne doit pas perdre de vue que jusqu'à ce qu'un nouvel accord ait été conclu avec le consentement unanime de toutes les Puissances signataires du Protocole Final, les stipulations de ce Protocole tiennent bon.

A. v Mumm.

----oooOooo----

Je partage entièrement l'avis de S. E. le Ministre d'Allemagne au sujet de la communication faite par le Vicroi de Nanking aux membres du Corps Consulaire de Shanghai. Mon Gouverne ment tient à ce que le Gouvernement Chinois exécute les stipulations du Protocole touchant l'amélioration du Huangpu, et m'a donné des instructions m'autorissant à appuyer toute proppsition tendant a la réunion du Conseil, même dans le cas où le Gouvernement Chinois continuerait a ne pas nommer un représentant pour ses intérêts maritimes. Il me paraît du reste peu désirable de prendre en considération des propositions présentées d'une manière tellement irrégulière.

Ernest Satow

27 Mai.

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Ernest Satow

27 Mars déjà deux Représentants du Gouvernement Chinois, le

Translation

Enclosure No. 2 Despatch No. 163

Circular No. 100.

Peking, May 24, 1904.

The Dean has the honor to place in circulation a letter from the Dean of the Consular Corps of Shanghai with regard to a proposition on the part of the Governor General of Nanking to change Annex No. 17 of the Final Protocol relating to the work of improvement of the Whangpoo and concerning the deliberations of the Consular Corps of Shanghai on the subject of calling a meeting of the Whangpoo Commission.

(Signed) Czikann.

Endorsement of the German Minister.

The question of the improvement of the Whangpoo is regulated by Article XI 6 and Annex 17 of the Final Protocol of the 7 of September 1901, signed by the Representatives of China and of the Foreign Powers at Peking. Consequently it is not the province of the Superintendent of Southern Trade to make new propositions and to submit them to the Consular Corps at Shanghai. The question in the order of the day is not a change of the provisions of the Final Protocol, agreed upon "with unanimity" by China and the Powers signing this protocol, but the organization of the River Commission. All the members of this Commission, except the representative to whom China is entitled by virtue of Article IV ext. h of the annex above-mentioned, having been designated long since, this organization should take place at once. If China does not deem it expedient to name the delegates to whom she is entitled by witure of her maritime commerce, this should not in any manner prevent the assembling of the Commission which may deliberate when

Translation.

Enclosure No. 2 Despatch No. 165

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Peking, May 24, 1904.

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four at least of its members shall be present and of which two representatives of the Chinese Government, the Taotai and the Commissioner of Customs at Shanghai, are already members ex officio.

It seems to me that the Dean of the Diplomatic Corps should reply to this effect to the Dean of the Consular Corps instructing him at the same time to notify the Toatai and the other members of the Commission to proceed at once to the organization of the River Commission.

If after the organization of the Commission the Chinese Government deems it expedient to submit to the Powers interested amendments modifying the provisions of the final protocol there is nothing to prevent the Wai-Wu-Pu from making overtures in this sense to the Representatives of the Powers signatory of the Final Protocol or that they should refer the matter to their respective governments. But it should not be lost to sight that until a new agreement may have been concluded with the unanimous consent of all the Powers signatory of the Final Protocol the stipulations of this Protocol hold good.

(Signed) A. v Mumm.

Endorsement of the Minister of Great Britain.

I share entirely the opinion of H. E. the Minister of Germany upon the subject of the communication made by the Viceroy of Nanking to the members of the Consular Corps of Shanghai. My Government holds that the Chinese Government should execute the provisions of the Protocol touching the improvement of the Whangpoo and has given me instructions authorizing me to support every propostion tending to the organization of the Commission even in case the Chinese Government should persist in not naming a representative for her maritime interests. It seems to me little desirable, moreover, to take into consideration propositions presented in such an irregular manner.

(signed) Ernest Satow.

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(Signed) A. Vlissingen.

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(signed) Ernest Satow.

No. 1631.

DIPLOMATIC
JUL 23 1904
BUREAU

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 10th, 1904.

Rec'd July 28

CHIEF CLERK,
JUL 21 1904
Department of State

Mr. Conger to the
Secretary of State.

File

Subject: The status of the American- China Development Company. Alleged memorial to the Throne recommending the annulment of the concession. Action taken.

No. 1631.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 10th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I am creditably informed that notwithstanding your note of May 11th to the Chinese Minister, Sir Liang-cheng, clearly setting forth the position of the United States regarding the American-China Development Company, His Excellency Sheng Kung-pao has memorialized the Throne, recommending the annulment of the contract with said Company for the building of the Hankow-Canton Railway.

Although your telegram of the 20th informs me that your position had, through the Agent of the Company, been handed to the Foreign Office, I have, nevertheless, thought best to formally notify the Chinese Government of it through this Legation, by the note a copy of which I enclose.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Conger to Prince Ch'ing, June 10th, 1904.

Enclosure No.—In Despatch No. 1631.

Legation of the United States of America,

June 10th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that a creditable (sic) report has reached me to the effect that His Excellency Sheng Kung-pao, Director General of Railways, is proposing the annulment of the contract with the American-China Development Co. for building the Hankow and Canton Railway, because certain shares of said Company have, in the course of trade, fallen into the hands of parties not Americans.

In consequence of this I feel it my duty to inform Your Imperial Highness that the Government of the United States considers the American-China Development Co. to be in good faith an American company, and that, as it is at present organized and conducted, the United States Government alone has the right to deal with diplomatic questions affecting the interests of the Company.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger.

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

June 10, 1904

Enclosure No.---In Despatch No. 1831.

Legation of the United States of America,

June 10th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that a creditable report has reached me to the effect that His Excellency Sheng Kung-pao, Director General of Railways, is proposing the annulment of the contract with the American-China Development Co. for building the Hankow and Canton Railway, because certain shares of said Company have, in the course of trade, fallen into the hands of parties not Americans.

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(Signed) E. H. Conger.

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

No. 1632.

Duplicate

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 11th, 1904.

CHIEF CLK
JUL 21 1904
Department of State

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DIPLOMATIC BUREAU

To Navy Dept.
To Com. + Labor
etc.

Mr. Conger to the
Secretary of State.

File
A.P.

Ack. & Navy + Com'l
July 23, 1904

Subject: The Blockade by the Japanese of the lower portion of the Liaotung Peninsula.

INDEX BUREAU
JUL 27 1904
FILED

No. 1632.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 11th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Enclosing herewith a translation from the "Pei Yang Kwang Pao" of the 7th instant, a Chinese newspaper published in Tientsin, concerning the blockade, by the Japanese, of the lower portion of the Liaotung Peninsula,

I have the honor to be, Sir,

Your obedient servant,

C. D. Conger

Enclosure;

Translation as stated.

Enclosure No.- In Despatch No. 1632.

Translation of an article in the "Pei Yang Kwan Pao" of June 7th, declaring the blockade of the Liaotung Peninsula.

The Japanese Consul at Shanghai announces the blockade of half the Liaotung Peninsula in a despatch to the Customs Taot'ai of Nanking.

I have received telegraphic instructions from Baron Hsiao Ts'un of the Japanese Foreign Office saying that Admiral Togo in obedience to orders from the Japanese Government has made a proclamation to the effect that the Japanese squadron blockaded the lower half of the Liaotung Peninsula and that such blockade was begun on the 26th of May. This applies to all ports south of a straight line drawn from P'itzuwoa to P'Ulantien and all ports in that district are effectually blockaded, and moreover this blockade will be maintained. Having received the above instructions it becomes my duty to communicate with Your Excellency immediately, and I would ask that you transmit the information to your superior officers, and also publish proclamations for the benefit of the general public. I would add moreover that our Navy has already established a blockade over the ports in the district mentioned, and boats that attempt to resist it will be apprehended and dealt with according to the rules of International Law, irrespective of who they may be.

As in duty bound I make this announcement that the Taot'ai may be informed of the matter and act accordingly.

Enclosure No.- In Despatch No. 1672.

Translation of an article in the "Pei Yang Kwan Pao" of June 7th, declaring the blockade of the Litotung Peninsula.

The Japanese Consul at Shanghai announces the blockade of half the Litotung Peninsula in a despatch to the Customs Taot'ai of Nanking.

I have received telegraphic instructions from Baron Kato Ta'un of the Japanese Foreign Office saying that Admiral Togo in obedience to orders from the Japanese Government has made a proclamation to the effect that the Japanese squadron blockaded the lower half of the Litotung Peninsula and that such blockade was begun on the 26th of May. This applies to all ports south of a straight line drawn from P'ituwos to P'Uantien and all ports in that district are effectually blockaded, and moreover this blockade will be maintained. Having received the above instructions it becomes my duty to communicate with Your Excellency immediately, and I would ask that you transmit the information to your superior officers, and also publish proclamations for the benefit of the general public. I would add moreover that our Navy has already established a blockade over the ports in the district mentioned, and boats that attempt to resist it will be apprehended and dealt with according to the rules of International Law, irrespective of who they may be.

As in duty bound I make this announcement that the Taot'ai may be informed of the matter and act accordingly.

No. 1633.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC BUREAU JUL 23 1904

INDEX BUREAU RECEIVED JUL 27 1904 DEPT. OF STATE

June 13th, 1904.

Mr. Conger to the
Secretary of State.

ack July 25. 1904

INDEX BUREAU JUL 27 1904 FILED

Subject: Customs Gazette No. CXLI Jan.-Mar. 1904 transmitted under separate cover.
Referring to No. 1546 of March 18.

One copy to Com. & Labor. one filed in Bureau of Trade Relations, July 23. 04.
Bureau of Trade Relations.

No. 1633.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1546 of March 18th, I have the honor to transmit under separate cover duplicate copies of Customs Gazette No. CXLI, Jan.-Mar. 1904, 1 Statistical Series No. 2, published by order of the Inspector General of the Chinese Imperial Customs.

I have the honor to be, Sir,

Your obedient servant,

C. H. Conger

No. 1634.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

CONSULAR BUREAU
JUL
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DEPARTMENT OF STATE

CONSULAR BUREAU
RECEIVED
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21
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Mr. Conger to the

Secretary of State.

Subject: Mr. Frederick D. Cloud of Iowa appointed Vice & Deputy Consul at Antung. His certificate received and the authorities notified. Acknowledging Department Instruction No. 795 of May 6.

INDEX BUREAU
JUL 23 1904
FILED

No. 1634.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 795 of May 6th, transmitting the certificate of appointment of Mr. Frederick D. Cloud of Iowa, as Vice & Deputy Consul of the United States at Antung.

The customary application has been made to the Foreign Office, and he has been notified of the result as directed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1635.

ASSISTANT SECRETARY.
JUL 22 1904

DIPLOMATIC
JUL 23 1904
BUREAU.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

RECEIVED
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Mr. Conger to the
Secretary of State.

Acknowledged to the Secretary & the President July 25, 1904

INDEX BUREAU
JUL 27 1904
FILED

Subject: The 70th birthday of the Empress Dowager. Proposed celebrations limited by present necessities. Asking for instructions as to course to pursue.

No. 1635.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

November 16th next Her Imperial Majesty the Empress Dowager, will celebrate the seventieth anniversary of her birth. It has been expected that the day will be celebrated throughout the Empire, and that at Peking most elaborate festivities would be indulged in, but recently it is reported that in consequence of the present distressed condition of the country, orders will be issued from the Throne forbidding any extravagant proceedings, and that the necessary funds be used instead, in some way for the betterment of the Empire or the relief of the people.

The Representatives of the foreign Powers here have discussed informally among themselves, the question of what they ought to do on the occasion, and all have agreed to ask their Governments to authorize them to request an Imperial Audience at that time in order to present congratulations.

All but the British and Japanese Ministers will ask for a congratulatory letter from their Sovereigns or other Chiefs of State to present to Her Imperial Majesty. These latter will simply present the matter to their Governments and ask for instructions as I am now doing.

Awaiting such instructions as, to you, may seem best,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1636.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

DIPLOMATIC
JUL 22 1904
BUREAU.

INDEX BUREAU
RECEIVED
JUL 22
1904
DEPT. OF STATE

Mr. Conger to the
Secretary of State.

Subject: Final settlement of the Supao sedition case.
Sentences imposed.

INDEX BUREAU
JUL 27 1904
FILED

No. 1636.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

By a despatch from Consul General Goodnow of the 3rd instant, I am informed that the two so-called "Supao" prisoners were, on May 21st, sentenced by the Mixed Court at Shanghai to two and three years imprisonment, respectively; their sentences beginning with the date of their arrest, and at the expiration of their terms of imprisonment both are to be banished from the foreign settlements in China.

The British assessor agreed to these sentences, and the prisoners were immediately sent to the Municipal jail to serve out such sentences.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 17, 1904

No. 1637.



Mr. Conger to the Secretary of State.

Subject:

Compliance with Department Circular of April 30, Chinese Government notified that foreign men of war may not visit Kiska Islands without permission

June 17, 1904

No. 1637.

Mr. Conger to the Secretary of State.

Subject:

Compliance with Department Circular of April 30, Chinese Government notified that foreign men of war may not visit Kiuka Islands without permission

No. 1637.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of April 30, instructing me to inform the Chinese Government that the ports and anchorages of the Kiska Islands in the Aleutian Archipelago may not be visited by foreign men of war without previous permission.

I have notified the Chinese Government as directed, and my notification has been duly acknowledged.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

SOLICITOR'S OFFICE
JUN 22 1904
TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY,
JUN 21 1904

CHIEF CLERK,
JUN 20 1904
Department of State.

From PEKING,

June 20, 1904.

Secretary of State,

INDEX BUREAU
JUN 24 1904
FILED

Washington.

and
20th. Miller investigation, coroner's inquiry, just received, show Etzel killed on Chinese junk, ten miles at sea, by criminal carelessness of Chinese soldiers pretending to be hunting pirates and probably not knowing that foreigners were on board. Chinese investigation shows substantially the same. I will demand appropriate punishment corporal in charge of the soldiers who led and directed the firing and of the general to whose undisciplined command he belonged from whom he received his orders, leaving question of indemnity ~~hanging~~ open for your instructions thereon. Full report by mail.

C O N G E R.

ered by the Chief Clerk's Office,

PEKING.

June 20, 1904.

Secretary of State,

Washington.

Sir:

I have the honor to report that the Miller investigation coroner's inquiry, just received, shows Ethel Killed on Chinese junk, ten miles at sea, by criminal carelessness of Chinese soldiers pretending to be hunting pirates and probably not knowing that foreigners were on board. Chinese investigation shows substantially the same. I will demand appropriate punishment accorded in charge of the soldiers who had and directed the firing and of the general to whose authority the latter belonged from whom he received his orders. Awaiting question of indemnity hearing for your instructions thereon. Full report by mail.

CONSUL.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED. JUL 30 1904 BUREAU OF ACCOUNTS. DEPT OF STATE.
AUG 4 1904

No. 1638.

June 22, 1904

INDEX BUREAU RECD. JUL 30 1904 DEPT. OF STATE

Mr. Conger to the Secretary of State.

Vouchers received & filed in Bureau of Accts. aeh August 5, 1904

Subject:

Enclosing signed vouchers completing final payment of Boxer Indemnity. Efficiency of Chinese Imperial Post Office.

INDEX BUREAU AUG 8 1904 FILED

No. 1439.

June 22, 1904

Mr. Conger to the Secretary of State.

Subject:

Enclosing signed vouchers completing final payment of Boxer Indemnity. Efficiency of Chinese Imperial Post Office.

No. 1638,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to return herewith the signed vouchers of Jacob F. Peat and Nils J. Friedstrom, and thus to complete the final payment of the indemnities awarded for losses sustained through the Boxer movement of 1900.

In connection with this it is interesting to note that over four hundred distinct payments have been made for which signed vouchers had to be returned, in some cases from remote parts of the country. The letters have all been sent through the Chinese Imperial Post Office and not one of them has ever been lost in transmission or even seriously delayed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Two vouchers as stated.

Vouchers rec'd. & filed
in Bureau of Accounts,
Aug. 4-1904.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
CHIEF CLERK, AUG 5 1904
JUL 30 1904 BUREAU.
Department of State.

No. 1639.

June 22, 1904.

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REC'D.
JUL
30
1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

FOR RELS. 1904.

File

Subject:

Whangpu Conservancy Commission. Correspondence with Foreign Office on the subject enclosed.

(No. 1630 of the 8th instant referred to)

INDEX BUREAU
AUG 10 1904
FILED

No. 1639.

June 22, 1904.

Mr. Conger to the Secretary of State.

Subject:

Whaling Conservancy Commission. Correspondence with Foreign Office on the subject enclosed.

(No. 1630 of the 8th instant referred to)

No. 1639.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 22nd, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Referring to my No. 1630 of the 8th instant, I have the honor to enclose copies of a note received from the Wai Wu Pu, and of my reply thereto.

All the Representatives of the signatory Powers have received identical notes. The German and British Ministers have made replies much the same as mine.

The proposals are the same as those irregularly presented by the Nanking Viceroy to the Consuls at Shanghai.

Trusting that my action will meet with your approval, and waiting your instructions,

I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

Enclosures;

1. Prince Ch'ing to Mr. Conger, June 9th, 1904.
2. Mr. Conger to Prince Ch'ing, June 21st, 1904.

Enclosure No. 1 In Despatch No. 1639

Prince Ch'ing to Mr. Conger.

It is stated in the eleventh article of the Peace Protocol of 1901 that a Board shall be established to have charge of the various matters connected with the maintenance and improvement of the Whangpu river bed, that the commercial interests of Shanghai may be protected. According to the estimate an expenditure of Hai-kuan Tls 460,000 each year, for twenty years will be necessary; of this amount, one half shall be supplied by the Chinese Government and one half by the foreign nations interested.

This Board finds that this excavation of the bed of the Whangpu river will not only open up a free course for the river but will be a great benefit to commerce as well. For this reason the Chinese Government now desires to do this excavating herself and assume the whole expense, without the subscriptions of the commercial men of other nations. The whole manner in which we propose to handle the matter is set forth in the following five regulations:

1. The Chinese Government shall itself be responsible for all the expenses. Each year there shall be appropriated from the Customs receipts Haikuan Tls 460,000 to cover the expense of dredging the Whangpu, and this appropriation shall continue until the work is completed. The duties payable according to the thirtieth section of the seventeenth annex to the protocol, shall all be remitted and there shall be no duties levied on this account.

2. All public work on the Whangpu River will be under the direction of the Taot'ai of Shanghai and the Customs Taot'ai. All marine, quarantine and other matters of that nature will continue to be conducted according to the old regulations.

3. The plan now proposed is that, if all the Ministers residing in Peking are agreeable, the Chinese Government will, after three months, select and appoint one or

two

Enclosure No. 1 In Despatch No. 189

Prince Ch'ing to Mr. Conger.

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2. All public work on the Whangpu River will be under the direction of the Taot'ai of Shanghai and the Customs Taot'ai. All marine, quarantine and other matters of that nature will continue to be conducted according to the old regulations.

3. The plan now proposed is that, if all the Ministers residing in Peking are agreeable, the Chinese Government will, after three months, select and appoint one or

two

two engineers thoroughly acquainted with such work, to take charge of the whole affair. But those who wish to undertake any part of the work must first hand in an estimate of the cost, and selection will then be made from all the applicants.

4. A quarterly account of all receipts and expenditures should be kept, and a clear account sent to the various foreign Consuls in Shanghai for their inspection.

5. The Chinese Government will itself supply all the funds necessary for the excavation, and hereafter it will not be permissible at any time to quote as a precedent the seventeenth annex of the protocol, nor will it be permissible to levy duties of this kind upon merchants of any nation owning land near the mouth of the river, or having goods shipped thereon.

The foregoing five regulations are most advantageous both to China and to the other nations, and it becomes our duty to transmit them in a despatch to Your Excellency for your inspection. We trust, too, that they will be sent to the Department of State for their deliberation. A reply to this despatch is requested.

A necessary despatch.

Kuanghsü 30th Year, 4th Moon, 26th Day.

(June 9th 1904).

(SEAL).

two engineers thoroughly acquainted with such work, to take charge of the whole affair. But those who wish to undertake any part of the work must first send in an estimate of the cost, and selection will then be made from all the applicants.

4. A quarterly account of all receipts and expenditures should be kept, and a clear account sent to the various Foreign Consuls in Shanghai for their inspection.

5. The Chinese Government will itself supply all the funds necessary for the excavation, and hereafter it will not be permissible at any time to quote as a precedent the seventeenth annex of the protocol, nor will it be permissible to levy duties of this kind upon merchants of any nation owning land near the mouth of the river, on having goods shipped thereon.

The foregoing five regulations are most advantageous both to China and to the other nations, and it becomes our duty to transmit them in a despatch to Your Excellency for your inspection. We trust, too, that they will be sent to the Department of State for their deliberation. A reply to this despatch is requested.

A necessary despatch.

Kuanghsu 30th Year, 4th Moon, 26th Day.

(June 9th 1904).

(SEAL).

Enclosure No. 2 In Despatch No. 1639,

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 21st, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' note of the 9th inst. enclosing a proposition for the Conservancy of the Whangpu River, which the Chinese Government desires to substitute for the arrangement agreed to by China and the Powers in the final Protocol of September 7th, 1901, and contained in Annex 17 thereto.

For three years the Chinese Government has been repeatedly urged by the Representatives of the signatory Powers to appoint the Chinese member which it has the privilege of appointing under Article IV (h) of Annex 17, in order that the work arranged for by the Protocol might be begun, and several times I have been personally assured by Your Highness and other members of the Wai Wu Pu that the said appointment would be speedily made.

Of course Your Imperial Highness is well aware that a change in the Protocol or the adoption of any new plan must be unanimously accepted by all the signatory Powers. In their present form I fear the proposals of the Chinese Government will not meet with unanimous approval, and the presentation of them must necessarily cause great delay.

The Chinese Government can hardly expect that the Powers will consent to the appropriation for this purpose of any portion of the Customs Revenue which is already wholly pledged to the payment of foreign loans and indemnities, or agree to its diversion to any other purpose than that stipulated in Art. VI of the Protocol. Besides, the proposals now made, in my judgment, do not offer the same guaranties for the faithful execution of the necessary works as those which were agreed to by China and the Powers in 1901.

Propositions

Enclosure No. 2 In Despatch No. 459.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 21st, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' note of the 9th inst. enclosing a proposition for the Conservancy of the Whangpu River, which the Chinese Government desires to substitute for the arrangement agreed to by China and the Powers in the final Protocol of September 7th, 1901, and contained in Annex 17 thereto.

For three years the Chinese Government has been repeatedly urged by the Representatives of the signatory Powers to appoint the Chinese member which it has the privilege of appointing under Article IV (b) of Annex 17, in order that the work arranged for by the Protocol might be begun, and several times I have been personally assured by Your Highness and other members of the Wai Wu Pu that the said appointment would be speedily made.

Of course Your Imperial Highness is well aware that a change in the Protocol or the adoption of any new plan must be unanimously accepted by all the signatory Powers. In their present form I fear the proposals of the Chinese Government will not meet with unanimous approval, and the presentation of them must necessarily cause great delay.

The Chinese Government can hardly expect that the Powers will consent to the appropriation for this purpose of any portion of the Customs Revenue which is already wholly pledged to the payment of foreign loans and indemnities, or agree to its diversion to any other purpose than that stipulated in Art. VI of the Protocol. Besides, the proposals now made, in my judgment, do not offer the same guarantees for the faithful execution of the necessary works as those which were agreed to by China and the Powers in 1901.

Proposations

Propositions similar to these were some time since made to me verbally by one of the Ministers of your Board, and I replied that until the Chinese Government evidenced its intention to carry out the provisions of Art. IV (h) of Annex 17, by appointing its member of the Conservancy Board, I could not entertain any proposition whatever for a change in the plan already agreed upon.

But, since the proposals have come to me in a formal manner, I will, as Your Highness requests, transmit them at once to my Government. Under present circumstances, however, I am unable to recommend their adoption.

I improve the occasion to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Propositions similar to these were some time since made to me verbally by one of the Ministers of your Board, and I replied that until the Chinese Government evidenced its intention to carry out the provisions of Art. IV (b) of Annex 17, by appointing its member of the Conservancy Board, I could not entertain any proposition whatever for a change in the plan already agreed upon.

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(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

DIPLOMATIC BUREAU
AUG 3 1904
BUREAU.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

DEPT OF STATE
AUG
2
1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU.
Answer according to
CHIEF CLERK,
JUL 30 1904
Department of State.
the Chief's memorandum attached hereto.

CONSULAR BUREAU
JUL
30
1904
DEPARTMENT OF STATE

No. 1640.

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REC'D.
JUL
30
1904
DEPT. OF STATE

June 22, 1904.

ans Aug 4, 1904

Mr. Conger to the Secretary of State.

Subject:

German authorities request some one be authorized to issue Consular invoices at Tsingtao.

Advisability of appointing Consul at Chinanfu.

INDEX BUREAU
AUG 8 1904
FILED

DEPARTMENT OF STATE,
CONSULAR BUREAU.

Mr. Adee,

The Department decided on July 13, 1904, that invoices from Tsingtao could be certified by the Consul of a friendly nation or by two respectable merchants, in accordance with the provisions of section 2844 of the Revised Statutes.

As to the establishment of a Consulate

[redacted]

DEPARTMENT OF STATE,
CONSULAR BUREAU.

at Chinan-fu, I recommend that no action be taken at present.

M.J.B.

No.164.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 22nd, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Recently the German Minister, Baron von Mumm, called upon me and said that Governor Truppel, of the leased territory of Kiaochiao, would like to ascertain if, for the present, while the United States has no Consular Officer at Tsingtao, the German Authorities or some American resident there could not be authorized to issue Consular invoices.

I replied that I could not see just how the German Government Officials could be authorized to sign such invoices, and that I did not think there were American residents there at present who could properly or conveniently perform that service, but that I would report the matter to my Government for its consideration.

The Department of State has already ruled that Consuls in China adjacent to foreign-leased territory, have no jurisdiction whatever in such territory.

While upon this question, and in view of the opening of Chinanfu to foreign trade, I suggest the propriety of establishing a United States Consulate there. It is true that at present there is little there for a Consul to do, yet it is the capital of a great province, in which Germany is daily growing more dominant, and in my judgment the presence of foreign Consuls and the acquirement of foreign rights will, in a measure, restrain Germany and make for larger foreign trade.

No Consuls have as yet been appointed, but should we

send

send one the other great Powers will be sure to do so.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

send one the other Great Powers will be sure to do so.

I have the honor to be, Sir,

Your obedient servant,

DEPT OF STATE
JUL
30
1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU

Ack + file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
JUL 30 1904
BUREAU.

ack aug 1, 1904

CHIEF CLERK,
JUL 30 1904
Department of State.

No. 1641.

June 23, 1904.

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R. C. D.
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DEPT. OF STATE

Mr. Conger to the Secretary of State.

Subject:

Transmitting copy of Imperial decree of June 21st proclaiming amnesty for political offenders, in celebration of 70th birthday of Empress-Dowager. Three men excepted, their names and records.

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FILED

No. 1841.

June 23, 1901.

Mr. Conger to the Secretary of State.

Subject:

Transmitting copy of Imperial decree of June 21st proclaiming amnesty for political offenders, in celebration of 70th birthday of Empress-Dowager. Three men excepted, their names and records.

No. 1641.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 23rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith a copy of an Imperial Edict of June 21st, 1904, proclaiming amnesty for political offenders in honor of the celebration, this year, of the seventieth birthday of Her Imperial Majesty the Empress Dowager.

The three men who are excepted from the provisions of the Edict are the three leaders of the Reform Party of China. The first, K'ang Yu-wei, was the principal Adviser of His Imperial Majesty the Emperor in the reforms proposed in 1898, and is a man of such conspicuous ability that he is popularly known as "The Sage of Canton." His principal supporter and assistant was Liang Chi-ch'ao, the second on the list, who is admittedly one of the most brilliant scholars of China, although still comparatively a young man. It was because the reforms which the Emperor proposed to institute under their guidance required the abolition of many useless offices and the retirement of many of the reactionary officials that the conservative party was led to induce Her Imperial Majesty the Empress Dowager to usurp the reins of Government and place the Emperor in confinement.

K'ang Yu-wei and Liang Chi-ch'ao each escaped from the country, but a number of their associates were beheaded. These two men have since been living abroad, chiefly in the Straits Settlements, Japan, the Hawaiian Islands, and the United States, where they have been zealously propagating their ideas among the Chinese residents of those

parts

parts, and preparing a strong party for the furtherance of their designs to reform, in the future, the Government of China.

Sun Wen, better known as Sun Yat-seng, is the man who was kidnapped in London by order of the Chinese Minister in 1896, but afterwards released under protest of the British Government. He has been prominent in several revolutionary uprisings in the province of Kwangtung of which he is a native.

The Edict should be read in connection with one issued some months ago in which a general amnesty was proclaimed for all offences except those of the highest grade, such as treason, parricide, etc., and the last sentence in the above Edict of Her Imperial Majesty is therefore probably to be taken as referring only to the political offences mentioned in the preceding sentences.

I have the honor to be, Sir,

Your obedient servant,

C. A. Conger

Enclosure:

Imperial Edict of June 21st, 1904, as above.

parts, and preparing a strong party for the furtherance of their aim to return, in the future, the Government of China.

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I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Imperial Edict of June 21st, 1906, as above.

Enclosure No. — In Despatch No. 1641,

Imperial Edict of June 21st, 1904. Amnesty for Reformers.

We have reverently received the commands of Her Imperial Majesty, the Empress Dowager, Tzu-hsi-etc., etc., etc., as follows:

"As WE this year celebrate OUR seventieth birthday, we have issued a number of Edicts, bestowing favors which Ministers and people, both in the capital and the provinces have all without exception enjoyed. Now having compassion upon those officials who in the past have been guilty of crimes, we command that those officers who were involved in the cases of the year "Wu-hsu" (1898), with the exception of three, K'ang Yu-wei, Liang Chi-ch'ao, and Sun Wen, who plotted rebellion and organized a treasonable society, and whose crimes are too great to be condoned, shall all be pardoned for what they have done, that they may have opportunity to mend their ways. Those who have been deprived of their rank shall be restored to their former official rank, those for whose arrest general orders have been issued, and those now imprisoned, as well as those under official surveillance, shall be set at liberty. Offences committed before the issue of this Edict of Mercy shall escape investigation, so as to manifest OUR purpose to show clemency in accordance with custom on the celebration of the Imperial Birthday, and to grant mercy unknown to the law."

Let the Board concerned and the Viceroys and Governors of the various provinces at once make investigation and report in memorials, reverently carrying this Edict into execution.

Respect this.

Enclosure No. — In Despatch No. 1641.

Imperial Edict of June 21st, 1904. Amnesty for Reformers.

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Respect this.

DIPLOMATIC BUREAU
AUG 3 1904
BUREAU

DEPT OF STATE
JUL 30 1904
2-A-SECRETARY

DIPLOMATIC BUREAU
Rel. Chinese Reform Army is understood to be a political association. Legation should not notice it in any way. Su Un. ADL
CHIEF CLERK
JUL 30 1904
Department of State.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

acek aug 4, 1904

No. 1642.

June 24, 1904.

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FILED
JUL 30 1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

Subject:

Enclosing copy of a letter from W.T.G.Neal, who forwarded a letter offering him a commission in an alleged Chinese Army.

INDEX BUREAU
AUG 4 1904
FILED

SOLICITOR'S OFFICE
DEC 26 1964

Dear Mr

As China is not at war, our neutrality statutes would not apply.

There appears to be no need of taking notice of the affair — except for protection of guilds against importers, and to advise the Chinese Govt. against permitting

for its- armies in the
But this dont seem necessary-
U.S, / But I know
if we convey in a
citizen of the U.S.
offering & the Chinese
Govt accepting mili-
tary or civil service
by a citizen of the
U.S,, China being at
peace_ Govts sometimes
WHP
send their
officers for such purpose_

No. 1642.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 24th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose for such use as you see fit, a copy of a letter received from Mr. W. T. G. Neal of the Bureau of Posts, Philippine Islands, with regard to the offer of a commission in an alleged Chinese army.

I have heard of other inquiries of the same kind recently, and references to t his movement have appeared in some of our newspapers. The names of the promoters are unknown to me.

I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

Enclosure;
Mr. Neal to Mr. Conger, June 8th, 1904.

Enclosure No.— In Despatch No. 1642.

Mr. Neal to Mr. Conger.

Bureau of Posts, Philippine Islands,

Post-office, Manila, P.I., June 8, 1904.

Hon. Edwin Conger,

U. S. Minister to China,

Peking, China.

Sir:

Enclosed please find letter received this date. Kindly inform me if Mr. English has authority to fulfil his offers.

I am a graduate of a U. S. Military School and have been an officer in the National Guards of Maryland. While the name of Frank Eberle seems familiar to me, yet I cannot place him and think it more probable that this letter is one of the many schemes to defraud and that my name has been learned from Md. State records.

Thanking you in advance,

I am,

Very respectfully yours,

(Signed) W. T. G. Neal,

Bureau of Posts.

Enclosure No.—In Despatch No.1642.

Mr. Neal to Mr. Conger.

Bureau of Posts, Philippine Islands,

Post-office, Manila, P.I., June 8,1904.

Hon. Edwin Conger,

U. S. Minister to China,

Peking, China.

Sir:

Enclosed please find letter received this date. Kindly inform me if Mr. English has authority to fulfil his offers.

I am a graduate of a U. S. Military School and have been an officer in the National Guards of Maryland. While the name of Frank Eberle seems familiar to me, yet I cannot place him and think it more probable that this letter is one of the many schemes to defraud and that my name has been learned from Md. State records.

Thanking you in advance,

I am,

Very respectfully yours,

(Signed) W. T. G. Neal,

Bureau of Posts.

(COPY).

Chinese Imperial Reform Army.

General Staff.

Yankton, S.D., 4/22, 1904.

Dear Sir:

Will you accept appointment as 2nd Lieut. in above Army? Modeled after U.S.A. Pay goes with rank. To modernize the Chinese Army. Transportation furnished. Be three months before we go. You are recommended by Frank Eberle. Must be no newspaper notoriety whatever. Includes all branches of service. Commissions issued when Chinese Government so orders. Span-Am. soldiers preferred. Making application in own handwriting. State age, married or single. Experience, sign name in full. Have you any friends, qualified, who will accept appointment?

I am very truly,

(Signed) Edmond F. English.

(COPY).

Chinese Imperial Reform Army.

General Staff.

Yonkton, S.D., 4/22, 1904.

Dear Sir:

Will you accept appointment as 2nd Lieut. in above Army? Modeled after U.S.A. Pay goes with rank. To modernize the Chinese Army. Transportation furnished. Be there months before we go. You are recommended by Frank Eberle. Must be no newspaper notoriety whatever. Includes all branches of service. Commissions issued when Chinese Government so orders. Span-Am. soldiers preferred. Making application in own handwriting. State age, married or single. Experience, sign name in full. Have you any friends, qualified, who will accept appointment?

I am very truly,

(Signed) Edmond P. Meglian.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN CHINA.

DIPLOMATIC
AUG 1 1904
BUREAU.

DIPLOMATIC CORRESPONDENCE
Legation U. S. Trade Mark Regs.
To Interior
Ack.

No. 1643.

June 24, 1904.

To U.S. Trade Mark Assn (Copies) Aug 3 1904

CHIEF CLERK
JUL 30 1904
Department of State.

INDEX BUREAU
AUG 30 1904
DEPT. OF STATE

Mr. Conger to the Secretary of State.

File Sub.

Subject:

Chinese Trade-Mark Regulations, copy of enclosed together with note of Foreign Office and reply.

(Legation No. 1626 referred to)

INDEX BUREAU
AUG 4 1904
FILED

No. 1445.

June 28, 1904.

Mr. Conger to the Secretary of State.

Enclosed:

Chinese Trade-Mark Regulations, copy of enclosed together with note of Foreign Office and reply. (Legation No. 1626 referred to)

No. 1643

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 24th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Continuing the subject matter of my No. 1626, I have the honor to enclose herewith copy of Trade Mark Regulations furnished me by the Foreign Office in a note dated the 9th instant, herewith enclosed. I also enclose a copy of my reply thereto.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures;

1. Prince Ch'ing to Mr. Conger, June 9th, 1904, with enclosure.
2. Mr. Conger to Prince Ch'ing, June 13th, 1904.

(Bonnie Annie 1643
June 24/04)

FILED
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Enclosure No. -1, In Despatch No. 1643.

Prince Ch'ing to Mr. Conger.

On the twenty-third day of the Fourth Moon and thirtieth year of Kuanghsü (June 7th, 1904) my Board received a communication from the Board of Commerce, saying:

"In each of the three recent commercial treaties with the United States, Great Britain, and Japan, the necessity of registering trade-marks is plainly stated. Thie Board has now decided upon a set of regulations which it proposes for trial. The Board of Foreign Affairs, however, should first send these regulations to the Ministers of the United States, Great Nritain and Japan respectively, for their perusal; and for that reason we send this communication that you may be informed and that you may take the necessary action. In addition, this Board proposes to memorialize the Throne in the matter of these regulations, upon the second day of the Fifth Moon (June 15th, 1904), and we trust that as soon as the various Ministers have sent in their replies, your Board will communicate with us without delay."

It becomes our duty therefore, to send to Your Excellency a printed copy of the above mentioned regulations, and we trust that a reply will be forthcoming without delay. A necessary despatch.

Enclosure: One copy of Regulations.

Thirtieth Year, 4th Moon, 26th Day (June 9th, 1904).

(SEAL).

[Regulations are same, practically, as Enclosure with 1681, 1, h. Aug. 15, 1904.]

Enclosure No. 1, In Despatch No. 644.

Prince Ch'ing to Mr. Conger.

On the twenty-third day of the Fourth Moon and thirtieth year of Kuanghsü (June 7th, 1904) my Board received a communication from the Board of Commerce, saying:

"In each of the three recent commercial treaties with the United States, Great Britain, and Japan, the necessity of registering trade-marks is plainly stated. This Board has now decided upon a set of regulations which it proposes for trial. The Board of Foreign Affairs, however, should first send these regulations to the Ministers of the United States, Great Britain and Japan respectively, for their perusal; and for that reason we send this communication that you may be informed and that you may take the necessary action. In addition, this Board proposes to memorialize the Throne in the matter of these regulations, upon the second day of the Fifth Moon (June 15th, 1904), and we trust that as soon as the various Ministers have sent in their replies, your Board will communicate with us without delay."

It becomes our duty therefore, to send to Your Excellency a printed copy of the above mentioned regulations, and ~~We trust that a reply will be forthcoming without delay.~~ A necessary despatch.

Enclosure: One copy of Regulations.

Thirtieth Year, 4th Moon, 26th Day (June 9th, 1904).

(SEAL).

REGULATIONS FOR THE REGISTRATION OF TRADE MARKS TO BE OPERATED EXPERIMENTALLY.

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1. Any one, no matter whether Chinese or Foreigner, who desires to use a trade mark, must first register the same according to these Regulations.

A special design, inscription, and emblem, either all three employed in combination, or any one or two of them, constitute the essential characteristics of a trade mark.

2. The Board of Commerce will establish a Bureau of Registration to attend especially to matters of registration, and the Customs at Tientsin and Shanghai will serve temporarily as Branch Offices for receiving applications, to the greater convenience of those who apply, who may present their petitions at the place nearest to them.

3. Applicants for registration may send their applications either to the Bureau of Registration or to a Branch Office to be forwarded to the Bureau.

4. Every application must be accompanied by a statement, which must contain a description of the trade mark in three particulars; - (a) it must give a general description of the trade mark, (b) tell to what class it belongs according to the classification of these Experimental Rules and Regulations, and (c) state on what particular kind of goods it is to be used. If the application be forwarded through a Branch Office, duplicates must be made both of the application and the statement.

5. The Bureau of Registration, having received an application and having found nothing in it contrary to the requirements, shall file the same for three months, and if within that time no person shall have petitioned against the registration, the said trade mark shall be registered.

6/ If applications be made for the registration of two trade marks which are similar to one another and which are to be used upon the same sort of goods, registration must be granted to the one first making application. If both applications be presented at the same time on the same day, permission to register must be given to both.

7. In the case of a trade mark already registered in a foreign country, if application for its registration in China be made within four months from the date of its registration abroad, the date of such registration abroad may be recognized.

8. Trade marks of the character specified below shall be refused registration:-

(i) Those which destroy respect for rank, do injury to the customs of the country, and deceive the people.*

(ii) Those which imitate the impressions of seals especially reserved for the use of the Government (such as the Imperial Seal and the ~~mkk~~ oblong lead seals of the various yamens),or which imitate the designs of the Imperial Flag, the military banners or decorations conferred for merit.

(iii) A trade mark identical with or similar to one already registered belonging to another person, or which shall have been already in public use in China more than two years before the presapplication shall have been made,and to be used upon the same sort of goods .

(iv)those which do not show something distinctive to be recognized.

9. The term during which any merchant, Chinese or foreigner, may be allowed exclusive use of a trade mark shall be twenty years beginning with the date of registration by the Bureau. But trade marks already registered in another country and for whose registration here application shall have been made according to the Regulations shall be allowed a term of exclusive use corresponding to that provided for in the registration abroad. (But in no case shall such term extend beyond twenty years.)

instance and as use official emblems, or employ tures which Chinese taste may hold to be improper -

10/ If after the expiration of the term of exclusive use it should be desired to extend such term, and application for a renewal of registration be made within six months before the expiration of the term of exclusive use, such application for renewal may be allowed.

11. Should the owner of a trade mark already registered desire to sell to some one else the right to its exclusive use, or should he find it necessary to share its use with others, he must at once make application at the Bureau of Registration for registration of the change.

12. If any trade mark already registered shall be found to violate the provisions of (i), (ii), and (iv) of Regulation 8, the Bureau of Registration may cancel the registration of such trade mark.

13. If a trade mark already registered shall be found to violate the provisions of Regulation 6, or those of (iii) of Regulation 8, the injured party may make application to have the registration of such trade mark annulled. But this provision shall not apply to any trade mark already registered for three years.

14. If, upon application having been made for the registration of a trade mark, the Bureau of Registration shall find that such trade mark does not comply with the requirements, the Bureau shall indorse clearly upon the rejected application the reasons for refusing registration.

15. Any person unwilling to submit to the refusal mentioned in the preceding Regulation may within three months after the date of the said refusal present a statement of facts and request the Bureau of Registration to reconsider his application.

16. If in any application for the registration of a trade mark the owner of the trade mark should not be in China, or if he should reside at a considerable distance from the Bureau of Registration, he must select a reliable friend and report him as his agent or representative.

17. Should any one desire to make a copy of any records in the trade

mark registration files, or examine the same, he may make application for such privilege either at the Bureau of Registration or at ~~the~~ one of the Branch Offices. If he shall reside at a considerable distance his agent or representative may make such application.

18. The Bureau of Registration shall publish Trade Mark Reports from time to time, announcing therein for the information of the public what trade marks have been registered and the circumstances connected with the cancellation of any registration.

19. Should any one infringe the right to the exclusive use of a trade mark, the owner thereof may bring suit against the offender, who shall be required to pay damages if investigation sustain the charges made.

20. In case of a suit for the infringement of a trade mark, if the defendant be a foreigner, the local magistrate shall send a despatch informing the Consul of defendant's nationality and shall sit with him in a trial of the case. If the defendant be a Chinese, the Consul concerned shall send a despatch informing the local magistrate and shall sit with him in a trial of the suit. If both parties to the suit should be foreigners, or if both parties should be Chinese, immediately upon information being given of the infringement, the court or officer having jurisdiction will take action as required, so that due protection may be given.

21. Any one guilty of any of the following offences he may be punished with not more than one year's imprisonment and not more than Three Hundred Taels fine, but no action shall be taken against any such offender except after suit duly brought by the injured party:-

(i) Imitation of another's trade mark with the purpose of using such imitation upon the same sort of goods as that on which the original is used, or selling such imitation.

(ii) ~~Making~~ Making an ~~the~~ imitation of another's trade mark and using the same upon the same sort of goods as those upon which the original is

used, or with a knowledge of the circumstances selling such goods or storing them with intention to sell.

(iii) Using the imitation of another's trade mark as a shop sign in advertisement or placard.

(iv) While knowing that the receptacle used by another (such as large or small box, bottle, jar etc.) or the wrapper bears a registered trade mark, yet using the same for goods of the same sort as the originals, or, while knowing the circumstances, selling such goods.

(v) Purposely importing such goods into any port, knowing well that such action may injure another whose goods bear a registered trade mark.

22. When on account of the circumstances set forth above such counterfeit trade marks, or the instruments used in making them are seized and confiscated, the goods, receptacles and signs, which can not be distinguished from those bearing the genuine trade mark shall all be destroyed.

23. Application for the registration of a mark having been made and a certificate issued, the merchant, whether Chinese or foreigner, shall pay the prescribed fees as follows:-

(i) Application Fee	Kuan-p'ing Tls.	5.00	each.
(ii) Registration Fee	" "	20.00	"
(iii) Certificate.....	" "	10.00	"
(iv) Registration of Transfer of rights	"	20.00	"
(v) Application for extension of expired term and renewal of registration	"	25.00	"
(vi) Copy of record of registration of trade mark	" "	2.00	"
(If over 100 characters, for each additional 100).....	" "	50.	
(vii)Examination of Records, for each hour	"	1.00 *	
(viii) Duplicate of lost certificate ...?	"	10.00	
(ix) Filing Complaint of Infringement,	" "	5.00	"
(x) Application for reconsideration of rejected trade mark	" "	5.00	
(xi) Request for cancellation of Registry	"	20.00	
(xii) Transfer of Certificate to heirs	" "	5.00	"

* According to new reckoning the expression "2 k'o" used in the original = a half-hour.

SUPPLEMENTARY.

24. These Regulations shall be of forcefrom and after Kuanghsu ----------Year, ----------Moon, ----------Day.

25. Inasmuch as mutual protection is required by the treaties, if, before the Bureau of Registration shall have entered upon its duties, request for the registration of any trade mark shall have been presented at any yamen having jurisdiction the Bureau shall regard the application as having been already properly made

26. If within six months after the Bureau shall have commenced operations application shall be made for the registration of trade marks which were already registered in another country before the Bureau began its work, the Bureau shall recognize such trade marks as entitled to precedence.

27. Although before the Bureau shall have been established various officials may have issued proclamations giving protection to various trade marks, such marks shall not receive the benefit of protection unless within six months after the opening of the Bureau application shall have been made for their registration.

28. The provisions of the last three Regulations are independent of the requirements of Regulation 5.

All of the above Regulations are to be put into operation experimentally. Matters not provided for in them may be taken into consideration and rules referring to them be added after these shall have gone into effect.

DETAILED RULES OF TRADE MARK REGISTRATION BUREAU.

****

1. The petitions and statements concerned with trade marks are separate and distinct documents and must uniformly bear the surnames and personal names of applicants, their residences and the dates (year, month, and day) of their applications, written in clearly. The written language of these documents must be Chinese. Should any foreign language be used, such documents must be accompanied by Chinese translations.

2. These Rules provide a form of application, and applications must be written out according to the prescribed form.

3. If application be made at the Bureau through an agent or representative, said agent or representative must present his credentials for examination.

4. When a Branch Office receives an application, it must retain the duplicate copy and send the original to the Bureau of Registration.

5. When the Bureau of Registration receives an application, it shall number the same and report this number to the applicant. Thereafter, should there be any matter connected with the grade mark requiring him to write (to the Bureau or Branch Office) he must use this number in his communication for the convenience of the Bureau in making its investigation.

6. In the case of a trade mark already registered, the communication must use the registration number.

7. If the applicant shall have in the first instance made his application through a Branch Office, he shall thereafter in sending any communications or in forwarding the trade mark block or registration fees, send the same through the Branch Office.

8. Each Branch Office shall keep a register, in which it shall record in detail the order in which applications have been entered, any important facts regarding them, and the facts as to the

granting or refusal of registration.

9. When registration is asked for a trade mark which already has a foreign registration, a copy of the certificate of registration granted by the applicant's Government must be forwarded for inspection.

10. When application is made for a renewal of exclusive right to use of trade mark, the certificate of registration must be presented for examination. If a foreign government shall have already consented to the renewal, a copy of the certificate granting renewal must also be sent.

11. If the application, the statement, or the description of the trade mark be indistinct or incomplete, the Bureau of Registration may fix a limited period within which the applicant shall be required to correct or complete the documents before any reply to the application may be made.

12. If an applicant for registration or a person bringing suit do not take action within the periods prescribed by the Trade Mark Regulations, or within such time as the Bureau of Registration may allow under special circumstances (such as difficulty of communication due to great distance from the Bureau) their petitions need not be considered.

13. The Bureau of Registration having found upon examination that there is nothing in the trade mark submitted contrary to the Regulations, shall at once grant registration, and shall notify the applicant, and the applicant upon receipt of such notice shall promptly within the time specified by the Bureau of Registration forward to the Bureau of Registration or to the Branch Office the registration fee and the trade mark block, and return the original of the notice above-mentioned.

14. The Bureau of Registration or a Branch Office, having received the registration fee and the trade mark block, shall there-upon

stamp upon the notice before-mentioned a receipt in full, and hand it back to the applicant. If the Branch Office shall have received them as above , it must at once report to that effect to the Bureau of Registration. At the end of each month all trade mark blocks at the Branch Offices must be forwarded to the Bureau of Registration for filing and in order that impressions may be published in the official reports. All fees for application and registration of every sort, received at the Branch Offices, must also at the end of each month be sent to the Bureau of Registration.

15. The applicant having complied with the requirements set forth in the second paragraph of Rule 13, the Bureau of Registration shall at once grant registration and issue a stamped certificate.

16. The trade mark block, whether of wood or metal shall measure 4 inches in length, by 3 inches in breadth, by .75 inches in thickness.

17. Any person presenting a petition for the cancellation of any registration, as provided for in Regulation 13, must prepare his petition in duplicate and in the petition must set forth in detail the reasons for such cancellation. If there be any object that can be used in evidence, it must be forwarded with the petition for examination.

18. When such circumstances arise as are set forth in the preceding Rule, on the presentation of the petition the Bureau of Registration shall file the original copy and send the duplicate to the defendant, fixing a time within which he shall be required to make answer, and after examination of documents presented by both parties, the Bureau shall decide the case and take action.

19. Should the Bureau of Registration cancel the registration of a trade mark, or should the owner of a trade mark cease to use it or retire from business, in all such cases orders shall at once be issued for the return of the certificate.

20. Any person falling heir to the right to use a trade mark must present evidence of the same to the Bureau of Registration, and

petition for a new certificate.

21. When, as provided for in the 11th. Regulation for Registration of Trade Marks, the registered owner of a trade mark shall desire either to, transfer his rights to others or share them with others, the petition regarding the matter must give in full the names of transferor and transferee, and both of them must sign it, and the certificate of registration and a clear copy of the contract must be sent to the Bureau of Registration to be filed for examination. If it be a trade mark with a foreign registration, a copy of the certificate issued by the owner's Government must also be sent, and the circumstances just recited, must be indorsed upon the original register and afterwards upon the back of the certificate, which shall be handed back to the petitioner.

22. If the residence of the owner of a registered trade mark be changed, or he should change his agent or representative, a report to that effect must at once be made.

23. An applicant for the registration of a trade mark must distinctly state on what class of goods, according to the classification given below, he intends to use the trade mark. If he can not determine to which class the goods belong, the Bureau of Registration shall decide.

Enclosure No. 2 In Despatch No. 1643

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 13th, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt on the 9th instant of a Despatch from Your Imperial Highness, enclosing a set of Regulations for the Registration of Trade Marks, as provided in the new commercial Treaties recently negotiated between China and the United States, China and Great Britain, and between China and Japan, and requesting me to examine them and send a reply at once so that the Board of Commerce might be able to submit them to the Throne for approval in a memorial, which it is proposed to present on the 15th instant.

In reply I have the honor to say that the Regulations are so numerous and complicated that it is impossible for me to examine them in the brief time allowed. I very much fear, however, that they are too detailed and complicated to prove practicable. I have had them translated, however, and shall at once forward them to my Government. After I shall have given them a more thorough examination I shall be better qualified to say whether or not in my opinion they meet the requirements of the Treaty.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger, U.S.Minister.

To H.I.H. Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 2 In Despatch No. 144

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 13th, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt on the 6th instant of a Despatch from Your Imperial Highness, enclosing a set of Regulations for the Registration of Trade Marks, as provided in the new commercial Treaties recently negotiated between China and the United States, China and Great Britain, and between China and Japan, and requesting me to examine them and send a reply at once so that the Board of Commerce might be able to submit them to the Throne for approval in a memorial, which it is proposed to present on the 15th instant.

In reply I have the honor to say that the Regulations are so numerous and complicated that it is impossible for me to examine them in the brief time allowed. I very much fear, however, that they are too detailed and complicated to prove practicable. I have had them translated, however, and shall at once forward them to my Government. After I shall have given them a more thorough examination I shall be better qualified to say whether or not in my opinion they meet the requirements of the Treaty.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger, U.S.Minister.

To H.I.H. Prince of Ch'ing,

President of the Board of Foreign Affairs.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
AUG 13 1904
BUREAU.

DEPARTMENT OF STATE
AUG 12 1904

No. 1644.

June 25, 1904.

Mr. Conger to the Secretary of State.

FOR RELS. 1904,

CHIEF CLERK,
AUG 12 1904
Department of State.

INDEX BUREAU
AUG 16 1904
FILED

Subject:

Case of Lewis Etzel, killed at sea by Chinese soldiers. Confirming telegraphic correspondence. Transmitting copy of report of Consul General Miller and of correspondence with the Foreign Office on the subject.

No. 1644.

June 29, 1904.

Mr. Conger to the Secretary of State.

Subject:

Case of Lewis Nissel, killed at sea by Chinese soldiers. Confirming telegraphic correspondence. Transmitting copy of report of General Miller and of correspondence with the Foreign Office on the subject.

No. 1644.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my cipher telegrams of June 8th and 20th, and Department's undated telegram received June 9th, as follows:

Secstate, Washington.
Lewis Etzel killed in junk at sea by Chinese soldiers. Body now at Newchwang. Expecting further information from Miller.
(Signed) Conger.

Conger, Minister,
Peking.
Have cabled Miller that Etzel's relatives desire body sent to this country.
(Signed)Loomis.

Secstate, Washington.
Twentieth. Miller investigation and coroner inquiry just received show Etzel killed on Chinese junk ten miles at sea by criminal carelessness of Chinese soldiers pretending to be hunting pirates and probably not knowing that foreigners were on board. Chinese investigation shows substantially the same. I will demand appropriate punishment Corporal in charge of soldiers who led and directed the firing, and of the General to whose undisciplined command he belonged and from whom he received his orders, leaving question of indemnity open for your instruction thereon. Full report by mail.
(Signed) Conger.

I have the honor to transmit the report of Consul General Miller, enclosing coroner's inquiry and giving a detailed account of the death of Mr. Lewis Etzel who was killed on June 6th by the criminal carelessness of Chinese soldiers while in a Chinese junk, ten miles off the coast of China, near Erchaiko. Mr. Miller's report is so full and complete that it is not necessary to restate the case.

Yesterday I had a brief conference with Prince Ch'ing who promised to at once take the case up with his Colleagues and have the guilty parties properly punished. He said, however, that until a more thorough investigation he could

could not well say what the punishment should or would be.

He asked me if we would demand pecuniary indemnity. I replied that as Mr. Etzel had left several relatives dependent upon him for support, it was very likely that indemnity would be demanded, but that I had asked my Government for instructions upon this point and must await its reply.

He then inquired if I did not think it would be better for the Chinese Government to itself, without request, offer some compensation for Mr. Etzel's life. I replied certainly, if China voluntarily tenders a reasonable sum it would be much better and more satisfactory to all, than if it were done after demand, and possibly a lot of correspondence thereon.

Enclosing copies of correspondence I have had with the Wai Wu Pu upon this subject,

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Miller to Mr. Conger, June 14th, 1904, with enclosures.
2. Mr. Conger to Prince Ch'ing, June 7th, 1904.
3. The Foreign Office to Mr. Conger, June 13th, 1904.
4. Prince Ch'ing to Mr. Conger, June 17th, 1904.
5. Mr. Conger to Prince Ch'ing, June 22nd, 1904.

Enclosures:

1. Mr. Miller to Mr. Conger, June 14th, 1904, with enclosures.
2. Mr. Conger to Prince Ch'ing, June 7th, 1904.
3. The Foreign Office to Mr. Conger, June 13th, 1904.
4. Prince Ch'ing to Mr. Conger, June 17th, 1904.
5. Mr. Conger to Prince Ch'ing, June 22nd, 1904.

Enclosure No. 1 In Despatch No. 1644

No. 357. Mr. Miller to Mr. Conger.

United States Consulate General,

Newchwang, China, June 14th, 1904.

Hon. E. H. Conger,

E.E.& M.P., of the U.S.A.

Peking, China.

Sir:

I have to report that Mr. Lewis L. Etzel, a citizen of the U. S. A., holding a passport issued by you on February 15th, 1904, No. 785, was killed by Chinese soldiers on the afternoon of Monday, June 6th, 1904. The address of his nearest relative is Miss Anna B. Etzel, 603 Mack Block, Denver, Col, U.S.A.

Mr. Etzel in company with a British subject, Mr. Ernest Brindle, engaged a Chinese junk at Newchwang for a sail along the coast of the Gulf of Pechili. They left Newchwang on the morning of June 5th by the train on the Imperial Chinese Railway going West, expecting to meet the junk at the Swantaitze river. They left the train at the point where the railway crosses the above river, and on Monday morning they went down the river in a small boat to its mouth. At the railway station they were tendered a guard of Chinese soldiers to escort them down the river, but as the guard did not appear, after a couple of hours of waiting, they proceeded without them.

In the afternoon they reached the mouth of the river without any mishap, and there found their junk, which they boarded, and set sail, going in the direction of Kaichao, Manchuria.

After sailing peacefully in the course down the coast, when about ten miles from shore they met four junks, each containing a number of armed Chinese soldiers. This was about six o'clock in the evening, some time before sunset.

Messrs. Etzel and Brindle had been walking on deck and had just gone below, out of sight, to arrange their

quarters

Enclosure No.1 In Despatch No. 1644.

No. 897. Mr. Miller to Mr. Conger.

United States Consulate General,

Newchwang, China, June 16th, 1904.

Hon. E. H. Conger,

U.S.A. & M.P., of the U.S.A.

Peking, China.

Sir:

I have to report that Mr. Lewis I. Steel, a citizen of the U. S. A., holding a passport issued by you on February 15th, 1904, No. 7885, was killed by Chinese soldiers on the afternoon of Monday, June 6th, 1904. The address of his nearest relative is Miss Anna B. Steel, 603 Main Block, Denver, Col, U.S.A.

Mr. Steel in company with a British subject, Mr. Ernest Brindle, engaged a Chinese junk at Newchwang for a sail along the coast of the Gulf of Pechili. They left Newchwang on the morning of June 5th by the train on the Imperial Chinese Railway going West, expecting to meet the junk at the Swantatzu river. They left the train at the point where the railway crosses the above river, and on Monday morning they went down the river in a small boat to its mouth. At the railway station they were tendered a guard of Chinese soldiers to escort them down the river, but as the guard did not appear, after a couple of hours of waiting, they proceeded without them.

In the afternoon they reached the mouth of the river without any mishap, and there found their junk, which they boarded, and set sail, going in the direction of Taishan, Manchuria.

After sailing peacefully in the course down the coast, when about ten miles from shore they met four junks, each containing a number of armed Chinese soldiers. This was about six o'clock in the evening, some time before sunset. These. Steel and Brindle had been walking on deck and had just gone below, out of sight, to arrange their quarters

quarters for the night. The four junks sailed up quite close and showed signs of firing, and ordered the lodah of the foreign junk to lower sail which was done. Mr. Etzel asked of the lodah, "Why have you lowered the sail? Put it up and sail on." This was said from his position in the hold of the junk, without knowing the cause of the delay. The lodah of the foreign junk called out to the soldiers, "Don't shoot, we have foreigners on board;" and from one of the junks containing the soldiers he received orders to hoist sail and go on. He gave orders to hoist the sail and his men had just begun hoisting sail, preparatory to proceeding, when the soldiers began firing from one of the boats, which was immediately followed by firing from all of the boats. After a few shots the lodah was wounded by being struck in the back with a bullet. He jumped into the part of the boat occupied by Mr. Etzel and showed his wound. Mr. Etzel then endeavored to get out of the lower part of the boat and was standing with his head and shoulders exposed above the deck looking at a boat containing soldiers, when he was shot by a soldier on a junk from the opposite side; the bullet entering the back of his head at the base of the skull and penetrating the brain, causing a large wound from which he died immediately.

Neither Mr. Brindle nor Mr. Etzel could speak Chinese, and it is evident that Mr. Etzel had no knowledge that they were going to be attacked until the firing began.

The firing continued for several minutes, and about one hundred shots were fired altogether; and as many as twenty shot marks were found on the junk, and several pieces of bullets were picked out of the boat. Some were the old style, large lead bullets, and others were pieces of smaller, steel-cased modern Mauser rifle bullets, showing that two kinds of rifles were used.

After the firing ceased the Chinese came out of the hold on deck and again called out to the soldiers, "Don't fire

fire, we have foreigners on board." When asked how many foreigners, they replied one, and Mr. Brindle went on deck and showed his passport in Chinese language. The Chinese Corporal, in charge of the expedition, by the name of Pan, showed his official authority from General Chu. After this exchange of papers the foreign junk was ordered to proceed, which they did. After sailing a short distance they were again ordered to stop, which they did, and the soldiers, coming alongside again, asked if anyone on the junk had been killed, and they replied no. When asked about the blood on the deck, they replied that one of the crew had been wounded, but it was of no consequence. They were told that if any of the crew had been killed they would be given a man in his place, as the soldiers had plenty of men. The Chinese on the foreign junk had carefully covered up the body of Mr. Etzel, and when asked if any foreigner had been killed they replied no.

I asked these men why they made this false reply, and they told me that if the soldiers had known that a foreigner had been killed, they would have killed all on board and sunk the boat in order that their crime would not have been discovered, and they all assured me that their lives and the life of Mr. Brindle had been saved by this successful deception.

After escaping from the soldiers, the junk, by Mr. Brindle's orders, sailed for the nearest port on the coast which proved to be Erchaiko, about eight miles from Tient-chuang-tai. Making his way by night to the railway station he telegraphed to me and others at Newchwang for assistance. Leaving at once for the scene I met the body at Tient Chuang tai on the afternoon of the 7th instant. Summoning the only foreigners available I instituted a corroner's investigation, notifying General Chu and inviting him to be present. We examined the body and several witnesses, including Mr. Brindle, the Chinese owner of the junk, and Mr. Brindle's

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After escaping from the soldiers, the junk, by Mr. Brindle's orders, sailed for the nearest port on the coast which proved to be Kiukiako, about eight miles from Tientsin-tai. Making his way by night to the railway station he telegraphed to me and others at Newchwang for assistance, leaving at once for the scene I met the body at Tient Chuang-tai on the afternoon of the 7th instant. Summoning the only foreigners available I instituted a coroner's investigation, notifying General Chu and inviting him to be present. We examined the body and several witnesses, including Mr. Brindle, the Chinese owner of the junk, and Mr. Brindle's

dle's servant, and all there who were on the junk at the time of the killing. Later we examined the lodah of the foreign junk, and Li Heo one of the lodahs of the junks taken by the soldiers.

A post mortem examination of the remains was made by Dr. Brander at the Port of Newchwang, and a portion of a bullet was extracted from the brain; and the doctor's certificate was made to the effect that the deceased came to his death evidently by a bullet fired from a gun.

At my request General Chu held an examination of the soldiers on the 13th instant, at Tient-chuang-tai, at which the coroner's jury and myself were present. This investigation was directed by Taotai Li of Tientsin, who was sent by the Viceroy of Chihli to ~~ex~~ investigate the matter, and before it was finished Taotai Chang arrived, having been sent by the Viceroy at Moukden to make an investigation.

I enclose herewith a copy of the report of the coroner's jury, and a detailed report of all the investigations held by me, as well as that held by the Chinese officials.

I am convinced that the killing of Mr. Etzel was not due to any desire on the part of General Chu or his soldiers to kill foreigners, nor was it in any way due to any anti-foreign spirit among the people.

It was admitted by the Chinese soldiers that they fired upon this boat. There were ten of these regular soldiers engaged in this expedition on three junks, all belonging to General Chu's command, and sent out to sea by his orders, and under the immediate direction of Corporal Pan. I was not able to ascertain the number of armed men on the fourth junk that went with the expedition as volunteers under Corporal Pan, and subject to his orders, but being sent out by the guild at Erchaiko.

It was clearly established by my examinations that all of

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It was clearly established by my examinations that all

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of the soldiers on all of the junks fired upon the foreign junk; but it was not possible to learn from whence came the shot that killed Mr. Etzel. Our examination revealed the fact that one of the crew on the soldiers' junks was wounded by being shot through the leg by one of the soldiers by an accident at the time Mr. Etzel was killed.

The explanation offered by the soldiers for the shooting was, first, that they considered the boat a pirate junk, and secondly, they insisted that the firing came first from the foreign junk, and they produced a bullet which they all said was fired into their boat by the foreign junk. They all claimed to have been from one and two-thirds to two-thirds of a mile from the foreign junk during all the firing, and before firing began. They claimed to have called out against the wind this distance to the foreign junk, instructing them to lower their sail. If this story were true, it would be ridivulous on its face, for not a sound could be heard at such a distance under such conditions. Our examination proves that all the junks were close together, and not over a hundred yards away, when they were asked not to fire because foreigners were on board.

It is the general opinion that these soldiers sail out upon the sea in this vicinity and attack peaceful merchant junks and levy tribute on them. Whether or not they began the attack on this junk with this purpose in view, I have not been able to establish to my satisfaction. I am rather inclined to the opinion that they saw a larger number of Chinese than usual on this junk and concluded it must be a pirate boat, and they concluded to attack it and began firing without knowing that foreigners were on board, or without careful investigation. When informed that foreigners were on board they evidently concluded to let them go on, but on not seeing any foreigners on deck they concluded it was a ruse to escape, and changed their minds and

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began firing.

These soldiers returned to the General's quarters on the 8th instant, and why an immediate investigation was not held is a mystery. Taotai Lin urged an immediate investigation, and was much annoyed by General Chu's delay. No investigation was held until the 13th, and the inference is that it took this time to prepare the story of defence, and charge the first shooting on the foreign junk. For this false story General Chu lays himself liable to a charge of scheming to hide the real facts.

It was plainly evident that the bullet produced by Pan as the one having been fired from the foreign junk was never fired from any rifle, but had been extracted from one of the cartridges belonging to the Chinese troops, as it was of the same kind. It was clearly proven that although they had three guns and two revolvers on the foreign boat, not one could fire the bullet produced. The statements of these soldiers and their boatmen that the talking and firing went on at a distance of from two to five li away, or from two-thirds to one and two-thirds miles, is evidence of its untruthfulness. The story told with so many variations concerning the subsequent attack on the following day on a private boat, proves all of these witnesses to be wholly unreliable, and in every respect untrustworthy.

The testimony of all the witnesses on the foreign junk, that they did not fire a shot from that boat at any time, is confirmed by the testimony of the lodah of one of the junks taken by the soldiers.

All of these men were examined separately, without any warning, and without any arrangement, or opportunity to secure uniform testimony, or without any knowledge as to the questions that would be asked of them, without fear of punishment or promise of reward, and in the main it agrees.

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All of these men were examined separately, without any warning, and without any arrangement, or opportunity to secure uniform testimony, or without any knowledge as to the questions that would be asked of them, without fear of punishment or promise of reward, and in the main it agrees.

There was evidently no cause or justification whatever for the attack of these soldiers upon this craft.

Whether it was inspired by desire to rob, or whether it was a more careless act of criminal carelessness, I have not been able to determine, but in either case it displays a lack of discipline and soldierly conduct, detrimental to the good order of the community, and to the proper protection of life and property of both natives and foreigners on both land and sea. Mr. Etzel lost his life because of the desire to rob, or the criminal carelessness of regular Chinese troops, and it is plain to my mind that proper punishment should be meted out to the parties directly responsible, and that proper recompense be made to his relatives, in so far as financial consideration can bring recompense for such a loss.

I also enclose herewith photos of the soldiers and court of investigation.

I have the honor to be, Sir,

Your obedient servant,

Henry B. Miller

U. S. Consul General.

Enclosures as stated.

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Your obedient servant,

U. S. Consul General.

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PROCEEDINGS of a board on Inquiry held at Tien Chuan Tai, on June 13, 1904, by H. E. Liu Tu Lin, Taotai of Chih-li, General Chu and General Chu, to investigate the matter of the killing of Lewis L. Etzel, a citizen of the United States of Ameri ca.

The first witness was a soldier named Wang Hai Yueh. Direct examination begun by General Fu.

Q. On what day did your General send you out?

A. On the Chinese 22nd in the evening.

Q. Where did you go that day?

A. We arrived at the sea on the 23rd in our boat. We had four boats. The General sent three, and the other belonged to the Erhchaiko Guild.

Q. What time did you go out to sea?

A. About four o'clock in the morning,we set sail with the tide.

Q. In what direction?

A. Towards the West, in the direction of Chieh Qwang Ting.

Q. Did you meet any junks?

A. Yes we met some fishing boats.

Q. Did you meet any other boats?

A. Yes, we met a foreign boat about 6 o'clock that evening.

Q. About how far off were you when you first saw this boat.

A. About three li away. I was th the windward of the boat; Pan's boat was to the leeward.

Q. Whose boat was leading?

A. Pan's.

Q. How many soldiers were on the boat, and who were they?

A. Three. Liu Yen Feng, Pan Chu, and Wang Hai Yueh.

Q. How many were on the third junk?

A. I don't remember. Choo Fu was in charge.

Q. Was there any firing?

A. Yes.

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A. About four o'clock in the morning, we set sail with the tide.

Q. In what direction?

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Q. Did you meet any junks?

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Q. Did you meet any other boats?

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Q. How many soldiers were on the boat, and who were they?

A. Three. Liu Yen Feng, Pan Chu, and Wang Hai Yuen.

Q. How many were on the third junk?

A. I don't remember. Choo Yu was in charge.

Q. Was there any firing?

A. Yes.

Q. Was there firing on the second boat?

A. Yes.

Q. How many shots.

A. Three.

Q. Who fired them?

A. Pan.

Q. Did he fire all of them?

A. Yes.

Q. How far away were you?

A. Our boat was three li. The others were five li.

Q. Was your boat the first to fire?

A. No; the first boat to fire was Pan Tzai's.

Q. How many shots were fired by the first and second boats?

A. I do not know. The first and second boats fired three shots.

Q. Did the third boat fire?

A. The third boat was two li from my boat, and about seven li from the foreign boat.

Q. Did you fire after the first boat, and is it customary for you to fire after the man in charge?

A. Yes.

Q. After you fired did you go closer to the foreign boat?

A. We went closer.

Q. Did you fire then?

A. No.

Q. When you fired did you notice anyone on the junk?

A. Only natives. They were tall men resembling Tientsin men.

Q. (By Taotai Liu Yu Lin) Why did you fire on the boat you met?

A. Because the foreign boat fired three shots at us.

Q. How far off were you when the foreign boat fired?

A. Five li.

(Taotai Liu Yu Lin) You must speak nothing but the truth.

Q. Was there firing on the second boat?

A. Yes.

Q. How many shots.

A. Three.

Q. Who fired them?

A. Pan.

Q. Did he fire all of them?

A. Yes.

Q. How far away were you?

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Q. After you fired did you go closer to the foreign boat?

A. We went closer.

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Q. (By Tsotai Liu Yu Lin) Why did you fire on the boat you met?

A. Because the foreign boat fired three shots at us.

Q. How far off were you when the foreign boat fired?

A. Five li.

(Tsotai Liu Yu Lin) You must speak nothing but the truth.

Are you certain that the foreign boat fired?

A. I am certain.

(Taotai Liu Yu Lin) to Mr. Ernest Brindle: That does not corroborate your statement).

(Mr. Brindle: that is nonsense.)

(By Gen.Chu). How can you be certain you were five li off?

A. Because the foreign junk was sailing towards us.

Q. (By Gen. Fu). After you fired the three shots did you stop?

A. Yes. The first boat has bullets fired from the foreign junk.

Q. (By the Taotai) Did you fire any shots yourself?

A. The foreign boat fired first, and then our first boat replied, and we then fired at the foreign boat. All three shots from the foreign boat were fired by one man.

Q. When the man on your boat fired, why did you not all fire?

A. Our orders from the general are not to fire first, but get close alongside.

Q. After the shots were fired did you get closer?

A. Yes.

Q. Did you hear any remarks from the junks?

A. No we were not close enough.

Q. Did the three boats surround the foreign junk?

A. No. Had we know it was a foreign junk, and if there had not been so many men on deck, we would not have fired.

Q. How many men did you notice?

A. About ten men, but no foreigners.

Q. How did you know afterwards that anything had happened in connection with foreigners?

A. I only knew after Pan's boat got close that foreigners were on board.

Q. Did you boat go close?

A. No.

Q. When Pan's boat got close, how far away was your boat?

Are you certain that the foreign boat fired?

A. I am certain.

(Testat Liu Yu Lin) to Mr. Ernest Brindle: That does not corroborate your statement).

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Q. Did your boat go close? when the foreign boat fired?

A. No. ive it.

Q. When Pan's boat got close, how far away was your boat?

A. One or two li. From our boat I noticed that the other boats were close.

Q. Do you know what took place on the other boats afterwards?

A. I know that the boats went together.

Q. How long were the two boats together?

A. From the beginning about two hours, but they remained alongside only a short time.

Q. What remarks passed between them?

A. I don't know.

Q. Did you know anybody had been shot?

A. No, not until we returned the following day.

Q. What time did you get close to the foreign boat?

A. About six in the evening.

Q. Are there many pirates on the sea?

A. Yes. If we had not been detained by the foreign junk we could a pirate junk.

Q. Did you capture any pirates afterward?

A. Yes.

Q. When?

A. On the morning of the 24th(Chinese).

Q. How many boats did you capture on the 24th?

A. One. There were two men wounded, one was shot dead and the other died while we were extracting the bullet.

Q. Did you tell the General this on your arrival?

A. I reported to the General on our return.

Q. Did you have discipline on your junk?

A. Yes. We are under the orders of the corporal in charge.

Q. Did you bring the pirate boat back?

A. Yes. It is at Swan Tai Tze.

Q. Was this boat sailing as an ordinary passenger boat, or commercial boat, or was there any evidence that it was a pirate?

A. It was an ordinary boat at first, and afterwards had been captured by pirates.

A. One or two lit. From our boat I noticed that the other boats were close.

Q. Do you know what took place on the other boats afterwards? (Note your statement).

A. I know that the boats went together.

Q. How long were the two boats together?

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Taotai Liu Yu Lin then asked United States Consul General H.B.Miller if he desired to ask any questions of the witness.

Mr. Miller's questions follow:

Q. How far at sea were the foreigners when they began firing?

A. Between thirty and forty li.It is impossible to say exactly.

Q. Between thirty and forty li from shore?

A. Yes, about forty li from Erhchiako.

Q. Did the soldiers wear uniforms?

A. Yes, the same as I am wearing now.

Q. Did the uniforms of the soldiers have red characters on?

A. Yes.

Q. What is your rank?

A. Orderly to the General.

Q. Are you under Pan?

A. I belong to the orderly office.

General Chu; he is under Pan.

Q. How many soldiers were on the fourth boat?

A. I don't know because this boat belonged to the guild.

Q. Did the fourth boat fire?

A. It was too far off; I don't know.

Q. Did the men on the fourth boat have uniforms?

A. Yes.

Q. (to Gen. Chu) What kind of uniforms are these?

Gen Chu. They are guild soldiers,and I have never seen them.

Q. (To Gen. Chu) Where do they get these uniforms.

A. (By Gen. Chu) They are supplied by the guilds.

Q.(To witness) How far away was your boat from the foreign boat when the firing began?

A. About two li off.

Q. When the foreign boat fired?

A. Yes.

Q. You said before about five li.

Tsetai Liu Yu Lin then asked United States Consul General H.B.Miller if he desired to ask any questions of the witness. Mr. Miller's questions follow:

Q. How far at sea were the foreigners when they began firing?

A. Between thirty and forty li.It is impossible to say exactly.

Q. Between thirty and forty li from shore?

A. Yes, about forty li from Kinhuikio.

Q. Did the soldiers wear uniforms?

A. Yes, the same as I am wearing now.

Q. Did the uniforms of the soldiers have red characters on?

A. Yes.

Q. What is your rank?

A. Orderly to the General.

Q. Are you under Pan?

A. I belong to the orderly office.

General Chu; he is under Pan.

Q. How many soldiers were on the fourth boat?

A. I don't know because this boat belonged to the guild.

Q. Did the fourth boat fire?

A. It was too far off; I don't know.

Q. Did the men on the fourth boat have uniforms?

A. Yes.

Q. (to Gen. Chu) What kind of uniforms are these?

Gen Chu. They are guild soldiers,and I have never seen them.

Q. (To Gen. Chu) Where do they get these uniforms.

A. (By Gen. Chu) They are supplied by the guilds.

Q.(To witness) How far away was your boat from the foreign boat when the firing began?

A. About two li off.

Q. When the foreign boat fired?

A. Yes.

Q. You said before about five li.

A. I meant the first boat was two li off. (Here witness made a diagram, using articles on the table.)

Q. Was it foreigners or Chinese who fired on your first boat?

A. The shots were fired by Chinese on the foreign junk.

Q. How many Chinese were on this foreign junk?

A. Ten odd.

Q. How many shots did they fire?

A. Three.

Q. You found the bullets?

A. Pan Tszi has one of the bullets. The other two did not hit the junks.

Q. Before you said three struck. Did those shots hit anyone.

A. No, but they went close to our men.

Q. How far away were you when the foreigners fired.

A. Five li.

Q. Did you know at the time you fired that the foreign junk had fired and struck your first junk?

A. I did not know.

Q. At the time you met this boat where was the sun?

A. The sun was not down.

Q. How do you recognize pirates when you fire on them?

A. Our orders are to go alongside, and if they fire first we take it for granted that they are pirates.

Q. Then you never fire unless fired on?

A. We never fire first.

Q. What boat was the wounded man on?

A. The man who was wounded was not hurt by the foreign boat.

Q. What boat was he on?

A. My boat.

Q. Did you see any foreigners on the boat after the firing.

A. No.

Q. Why did you sail away?

A. When the first boat went close and had a talk it was

A. I meant the first boat was two lt off. (Here witness made a diagram, using articles on the table.)

Q. Was it foreigners or Chinese who fired on your first boat?

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A. No, but they went close to our men.

Q. How far away were you when the foreigners fired.

A. Five lt.

Q. Did you know at the time you fired that the foreign junk had fired and struck your first junk?

A. I did not know.

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A. The sun was not down.

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Q. Then you never fire unless fired on?

A. We never fire first.

Q. What boat was the wounded man on?

A. The man who was wounded was not hurt by the foreign boat.

Q. What boat was he on?

A. My boat.

Q. Did you see any foreigners on the boat after the firing.

A. No.

Q. Why did you sail away?

A. When the first boat went close and had a talk it was

useless for me to remain.

Q. What was the closest you ever got at any time?

A. Three li.

Q. What was the name of the owner of your boat?

A. A man named liu.

Q. Did you get the boat at Erhchaiko?

A. Yes.

Q. What dress were the men on the foreign boat wearing?

A. Even at a distance of five li away I noticed that all the men were dressed in light blue gowns.

The second witness was Kwang Wen Kai, a soldier on the first boat, and the direct examination was by the Taotai.

Q. Were you on the first boat?

A. Yes.

Q. When did you sail?

A. A little after noon on the 23rd, from Erhchaiko.

Q. What hour did you meet the foreign boat?

A. I have no watch; the sun was southwest.

Q. How far off was your junk?

A.When we first saw the foreign junk about five li off. In the meantime a fishing junk came up and said it was a pirate junk.

Q. How many men were on your boat?

A. Three men and a cook.

Q. How many boatmen?

A. Four.

Q. Give names of the soldiers.

A. Pan Tzai, Kwang Wen Kai, Lui Shih Fu and the cook Cho Sheng Yuen.

Q. Who fired the first shot?

A. The foreigners.

Q. How far off were they?

A. Three li. We ordered them to lower the sail, which they did not do.

useless for me to remain.

Q. What was the closest you ever got at any time?

A. Three li.

Q. What was the name of the owner of your boat?

A. A man named Liu.

Q. Did you get the boat at Hsinhaikou?

A. Yes.

Q. What dress were the men on the foreign boat wearing?

A. Even at a distance of five li away I noticed that all the men were dressed in light blue gowns.

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Q. When did you sail?

A. A little after noon on the 23rd, from Hsinhaikou.

Q. What hour did you meet the foreign boat?

A. I have no watch; the sun was southwest.

Q. How far off was your junk?

A. When we first saw the foreign junk about five li off. In the meantime a fishing junk came up and said it was a pirate junk. You recognize pirates when you fire on them?

Q. How many men were on your boat?

A. Three men and a cook; they are pirates.

Q. How many boatmen?

A. Four.

Q. Give names of the soldiers.

A. Pan Tsai, Kwang Wen Kai, Lai Shih Fu and the cook Cho Sheng Yuen.

Q. Who fired the first shot?

A. The foreigners.

Q. How far off were they?

A. Three li. We ordered them to lower the sail, which they did not do.

did not do.

Q. How many shots did the foreign boat fire?

A. Three shots. The second shot went close to me.

Q. How many shots hit the boat you were on?

A. Two struck our boat, one of them was picked out.

Q. How did you know they were pirates?

A. We were told so by the fishing boat.

Q. Did you see any foreigners on board?

A. No.

Q. How far away was your boat when you returned the fire of the foreigners?

A. Three li.

Q. Afterwards did you find the pirates?

A. Yes, on the following day.

Q. You fought on the following day and found pirates?

A. Yes.

Q. How many shots were fired from the foreign boat?

A. Three.

Q. Did you fire afterwards, and how many times?

A. I fired four shots. Pan fired nine shots. No one else fired.

Q. Who killed the foreigner?

A. I don't know.

Q. Who fired the first shot?

A. Pan Tzai.

Q. Who ordered you to fire?

A. Pan Tzai.

Q. Did you fire any after the nine shots?

A. As they did not fire again we did not.

A. Did the foreign boat lower its sail?

A. It was lowered half way down and then raised again.

Q. Was the sail lowered half way beforeor after the firing?

A. After the shots were fired.

Q. Did your boat go alongside?

A. Quite close. When the shots were fired, closer and

did not do.

Q. How many shots did the foreign boat fire?

A. Three shots. The second shot went close to me.

Q. How many shots hit the boat you were on?

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Q. How did you know they were pirates?

A. We were told so by the fishing boat.

Q. Did you see any foreigners on board?

A. No.

Q. How far away was your boat when you returned the fire of the foreigner?

A. Three ft.

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A. Did the foreign boat lower its sail?

A. It was lowered half way down and then raised again.

Q. Was the sail lowered half way before or after the firing?

A. After the shots were fired.

Q. Did your boat go alongside?

A. Quite close. When the shots were fired, closer and

closer. In fact we went nearly alongside. When we got quite close we ordered them to give up their guns and then found they were foreigners.

A. When did you ask for their guns?

A. When we got quite close.

Q. Did they fire the guns?

A. They replied, "We have foreigners on board."

Q. Did they say anything else?

A. Yes, they said one foreigner had a passport.

Q. Did you see the foreigners?

A. Yes, when we got quite close, but until then we did not know they were not foreigners.

Q. How many foreigners did you see?

A. Owing to being a bad sailor I went below as I was sea-sick.

Questions by Consul General H. B. Miller.

Q. Have you the two bullets that struck the boat?

A. Yes.

Q. Both of them?

A. Yes. One is in the woodwork, and the other is in the possession of Pan Tzai.

Q. When you ordered them to lower their sail, was it before or after the ~~xxxxxxx~~ firing?

A. Afterward.

Q. Are you sure?

A. Yes.

Q. Did you not order the sail lowered before the firing?

Q. When you ordered the sail lowered, did not those on board the foreigner boat say, "Foreigners on Board?"

Q. Was there any firing after that?

A. No.

Q. Was anybody killed on the following day?

A. Yes [redacted] killed.

Q. Any wounded?

A. No.

Q. Why did you fire on the pirates on the following day?

A. Because they fired first.

closer. In fact we went nearly alongside. When we got quite close we ordered them to give up their guns and then found they were foreigners.

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Questions by Counsel General H. B. Miller.

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Q. Was there any firing after that?

A. No.

Q. Was anybody killed on the following day?

A. Yes [illegible] killed.

Q. Any wounded?

A. No.

Q. Why did you fire on the pirates on the following day?

A. Because they fired first.

Q. How many shots did the pirates fire?

A. Innumerable.

Q. Did they kill any of the soldiers?

A. Shot one of the crew on Wang Hai Yuh's boat.

Q. Do you ever fire on pirates before you are fired on?

A. We never fire first.

Q. How many of these expeditions have you been on?

A. This was the first one.

Q. If a fishingboat comes up and tells you that any boat is a pirate, do you fire on it?

A. Our instructions are to get as close as possible, and fire when attacked, but to never fire first.

Q. When fighting with the pirates on the following day, was your boat struck?

A. No.

Q. Then your boat did not fight with pirates next day?

A. The pirates fired in the direction of our boat but struck no one.

Q. What became of the pirate whom you killed?

A. Hiw body was thrown overboard. There was a strong ebb tide and the body was picked up again by the pirates. I saw this through my binoculars.

Q. What became of the pirate junk?

A. I don't know. It said westward in the dark.

Q. You had binoculars. Did you use them when the foreign boat attacked you?

A. On that day the binoculars were not on my boat but on the guild boat.

Q. When did you get the binoculars from the guild boat?

A. Late on evening of the 23rd.

Q. (By Gen. Fu) Whose glasses were they?

A. They were owned by the guild.

(To Gen. Chu) Do you supply your men with binoculars?

Gen. Chu: Never. They are not supplied by the Viceroy.

Q. Is it not customary among pirates never to go on their

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(To Gen. Chu) Do you supply your men with binoculars?

Gen. Chu: Never. They are not supplied by the Viceroy.

Q. Is it not customary among pirates never to go on their

own junks when they start, and all of them get on their own boats later? And are not all of these pirates picked small men who are good swimmers?

A. I don't know. I am a new man.

Q. What was the name of the lowdah of your boat?

A. I donIt know. Yaoshihtao was the lowdah on the first junk.

Q. What time did you first see the junk?

A. In the afternoon. The sun was in the West.

Q. What class of boat is yours?

A. The swallow type.

Q. How far away were you when you first saw the foreign boat?

A. About three li.

Q. What did you notice on the junk?

A. A fishing boat told us there was a pirate boat ahead.

Q. Howmany men did you see on the foreign boat?

A. About twenty.

Q. Where did the foreigners' shots strike?

A. One bullet fell into the hold, and I don't know what became of the other two.

Q. Of the boats with soldiers on board, which returned the foreigners' fire first?

A. Mine.

Q. How many shots were fired from your junk?

A. Ten.

Q. Who fired first?

A. I don't know. I was at the helm steering. The shots in our junk were fired in a volley.

Q. What happened when you got close?

A. They cried out that there were foreigners on board.

Q. Anything else?

A. They lifted up a foreigner and showed a passport.

Q. Did you ask if there were any wounded?

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Q. What happened when you got close?

A. They cried out that there were foreigners on board.

Q. Anything else?

A. They lifted up a foreigner and showed a passport.

Q. Did you ask if there were any wounded?

A. Yes, and they replied, "You'd better go away and look for your pirates."

Q. After seeing the passport did you go away?

A. Yes.

Q. When you meet the pirates?

A. After going ten li.

Q. Was this the same day you had the trouble with the foreigners?

A. Yes.

Q. Did you fight with the pirates?

A. Yes, we chased them until dark, and fired, and when darkness came on, we gave it up.

Q. What became of the pirate boat?

A. It sailed away southwest and then disappeared.

Q. How many pirates were there, and did you wound any?

A. Impossible to say.

Q. You said you were three li away when you were fired on by the foreign boat. How far from land were you?

A. I don't know. Roughly speaking, about 10 or 12 li from Erhchaiko.

Q. How many times did the foreigners fire?

A. Three or four times.

Q. Did you order them to lower their sail when you were three li away?

A. We were more than three li away.

Q. Did they obey?

A. No, when ordered first they did not reply at all.

Q. In the fight with pirates did you fire first?

A. Yes.

Q. How far away?

A. Three or four li.

Q. Was it nearly dark?

A. The sun was not down.

Q. Did you order the pirates to lower their sail?

A. This boat had no sail up.

Q. How did it get away?

A. Yes, and they replied, "You'd better go away and look for your pirates."

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A. Yes.

Q. How far away?

A. Three or four lt.

Q. Was it nearly dark?

A. The sun was not down.

Q. Did you order the pirates to lower their sail?

A. This boat had no sail up.

Q. How did it get away?

A. There were six pirates altogether. Two of them sailed away, and four were stranded on account of the low tide.

Q. What did you do to the beached boats?

A. We fired on them, as we could not get close to them on account of the low water.

The third witness was Pan Tzai, the corporal. He was questioned by the Taotai.

Q. How long have you been enrolled?

A. About three years. I have been promoted from private soldier to corporal.

Q. How many men are under you in the boat?

A. Whenever I am ordered out, I have ten men. When I return I have nothing to do with them.

Q. Are you often instructed in drill?

A. Not now, but formerly in rifle practice.

Q. Have you ever caught pirates?

A. Yes, often.

Q. How many pirates have you captured?

A. Year before last in the ninth moon, I caught one named Wei and another named Chang. One was beheaded.

Q. Are your men under discipline, and do they obey your orders?

A. Yes.

Q. What day did you leave?

A. I was ordered by General Chu to go after pirates on the 22nd. At 4:30 I started from Erhchaiko on the 23rd.

Q. Are you under the command of General Chu?

A. Yes.

Q. Are there any men between you and General Chu?

A. No.

Q. When did you first meet the foreigners?

A. About three o'clock in the afternoon of the 23rd.

Q. When you met the junk what orders did you give?

A. My orders to the boats were as soon as they saw pirates they were to go close, but not to fire unless fired upon, and stand close together on the deck.

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A. My orders to the boats were as soon as they saw pirates they were to go close, but not to fire unless fired upon, and stand close together on the deck.

Q. How many boats did you have?

A. Three.

Q. How many were on your boat?

A. Three men and a cook. There were three soldiers on the other boats.

Q. Name the men on your boat.

A. Kwang wen Kai, Liu Shih Fu and Cho Sheng Yuen(Cook). The second boat had three men Wang Hai Yueh, Pan Chu and Liu Yen Tsung Feng. The third boat had Chao Yu San, Li Wan Fu and H Hung Sheng.

Q. What orders did you give?

A. The foreigners fired first, and then I fired five shots myself and the second man to fire was Kwang Wen Kai, who fired four times. Only nine shots were fired. No one else fired.

Q. Which man shot the foreigner?

A. I did not see any shot take effect except the last shot fired by me, which hit the lowdah of the foreigners' boat. If I had not ordered the men below we would have lost a number.

Q. How far off were you?

A. Two li.

Q. If you saw the lowdah shot, how is it you did not see the foreigners?

A. Who shot I do not know. After two or three shots fired from our boat, the crew of the foreign boat went below. The fifth shot fired by me hit the lowdah of the foreign boat.

Q. How did you know the effect of your shots?

A. The first shot struck the water, the second, third and fourth hit the junk, and the fifth hit the lowdah. I am able to tell this through target practice.

Q. Where did theother soldiers' shots strike?

A. It is very difficult for me to say.

Q. How is it you are so exact about your shots and not his?

A. Every man watches his own shots.

Q. Did you not know there were foreigners on board?

A. No. Do you think we would dare fire on a boat which had

Q. How many boats did you have?

A. Three.

Q. How many were on your boat?

A. Three men and a cook. There were three soldiers on the other boats.

Q. Name the men on your boat.

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Q. Where did the other soldiers' shots strike?

A. It is very difficult for me to say.

Q. How is it you are so exact about your shots and not his?

A. Every man watches his own shots.

Q. Did you not know there were foreigners on board?

A. No. Do you think we would dare fire on a boat which had

foreigners on board?

Q. Have you ever seen foreigners on board junk?

A. Have seen Russians with flags.

Q. Was there any flag on this boat?

A. No.

Q. Did you know there were foreigners on this junk?

A. Not until we got close.

Q. How many foreigners did you see?

A. One.

Q. Could you recognize him?

A. He was wearing Khaki similar to that man's(pointing to Consul General Miller).

Q. Did he have a mustache?

A. No.

Q. Can you recognize any of the men in this room as the foreigner you saw?

A. He looked like that man: that is, he had the same troubled expression on his face.)Pointed to Sam B. Trissel).

Q. Were you aware that a foreigner had been killed?

A. No.

Q. When did you know?

A. When I returned.

Q. How did you know there were foreigners on board?

A. When we got within the length of a room of the boat, we ordered them to hand out their guns, and the men to come after. Then they lifted up and foreigner, and asked what we meant by firing on a boat with foreigners on board. I replied that we took them for pirates.

Q. Did they show a passport?

A. Yes. I saw two big characters on it reading "Passport."

Q. What did you ask after you saw the passport?

A. I asked if there were any wounded on board, and they replied no. I saw blood on the lowdah's back, and said, "If no one has been hurt, where does that blood come from?" They replied that the lowdah had been wounded, but not seriously. Then I asked the nationality of the foreigners and was told

foreigners on board?

Q. Have you ever seen foreigners on board junk?

A. Have seen Russians with flags.

Q. Was there any flag on this boat?

A. No.

Q. Did you know there were foreigners on this junk?

A. Not until we got close.

Q. How many foreigners did you see?

A. One.

Q. Could you recognize him?

A. He was wearing khaki similar to that man's(pointing to General Miller).

Q. Did he have a mustache?

A. No.

Q. Can you recognize any of the men in this room as the foreigner you saw?

A. He looked like that man: that is, he had the same troubled expression on his face.)Pointed to Sam B. Trissel).

Q. Were you aware that a foreigner had been killed?

A. No.

Q. When did you know?

A. When I returned.

Q. How did you know there were foreigners on board?

A. When we got within the length of a room of the boat, we ordered them to hand out their guns, and the men to come after. Then they lifted up and foreigner, and asked what we meant by firing on a boat with foreigners on board. I replied that we took them for pirates.

Q. Did they show a passport?

A. Yes. I saw two big characters on it reading "Passport."

Q. What did you ask after you saw the passport?

A. I asked if there were any wounded on board, and they replied no. I saw blood on the lowdah's back, and said, "If no one has been hurt, where does that blood come from?" They replied that the lowdah had been wounded, but not seriously. Then I asked the nationality of the foreigners and was told

that they were Americans, and was also told that the occasion had not upset them, and that they were proceeding to Yingkow.

Q. What else did they say?

A. They told me to go away and find pirates.

Q. Did you leave then?

A. Yes.

Q. Did you say anything else?

A. I asked if there was only one foreigner on board, and they said yes.

Q. Were there only three shots fired from the foreign boat?

A. Yes, only three. One bullet fell into the hold of our boat.

Here the witness produced the bullet which he claimed had been fired from the foreign boat, and which had been picked up in the hold of the boat he was on. It is a 7 mm. steel jacketed Mauser rifle bullet, perfectly smooth, and has no appearance of ever having been fired. This bullet is the same as used by Gen. Chu's troops, as Gen. Chu testified during the investigation, and a clip of which were exhibited.

Q. When did you pick up this bullet?

A. After the firing, and before we met the pirates. It was picket up by the cook. When we were out five men had 7 mm. Mauser rifles, and five had the old type Mausers, some of the old type with a magazine of 10 shots, and some were single shots.

Q. How far away from the foreign junk were you when you told that she had pirates on board?

A. About seven or eight li, not 10.

Q. Were there no other boats except this boat and the fishing boat which told you she was a pirate?

A. There were lots of junks. This boat was sailing before the wind, and had a lot of men on board, and on account of the large number of men on board I took them for pirates.

Q. When did you return?

A. About half-past eight on the night of the 24th(Chhesedate)

Q. When did you go after the pirates?

A. On the night of the 24th after eight o'clock.

that they were Americans, and was also told that the occasion had not upset them, and that they were proceeding to Yingkow.

Q. What else did they say?

A. They told me to go away and find pirates.

Q. Did you leave them?

A. Yes.

Q. Did you say anything else?

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Q. Were there only three shots fired from the foreign boat?

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Q. When did you return?

A. About half-past eight on the night of the 24th(Chinesedate)

Q. When did you go after the pirates?

A. On the night of the 24th after eight o'clock.

Q. Did you kill any pirates?

A. We killed one and wounded one. He died when we tried to extract the bullet.

Q. Did the pirates fire first?

A. Yes.

Q. Was there any firing on your boat after the lowdah of the foreign boat was shot?

A. No.

Q. Were any shots fired after the nine shots?

A. No.

Questions by Consul General H. B. Miller.

Q. Was it a foreigner who fired at you?

A. No.

Q. Did you see Chinese on the foreign boat fire at you?

A. We did not see them fire, but we saw them on deck.

Q. How did you know?

A. Because we saw no foreigners.

Q. How many guns did you see on the foreign boat?

A. I saw one rifle first, and when I ordered them to hand over their guns, they showed two more.

Q. Did you fire after you were fired on?

A. Immediately afterward.

Q. When did you order the foreign boat to drop sail?

A. Immediately after the first three shots were fired at us. They lowered the sail but re-hoisted it again.

Q. You were two li away.

A. Yes.

Q. When did you order your crew below?

A. When we were fired on.

Q. Why did you order your crew below?

A. It is customary when nearing a pirate boat to order the crew below, and I remain on deck.

Q. Were your crew below before the foreigners fired?

A. Yes. Only myself was on deck.

Q. You were on deck alone?

A. Yes, except the helmsman.

Q. Did you kill any pirates?

A. We killed one and wounded one. He died when we tried to extract the bullet.

Q. Did the pirates fire first?

A. Yes.

Q. Was there any firing on your boat after the lowdah of the foreign boat was about?

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Q. Was it a foreigner who fired at you?

A. No. the witness produced the bullet which he claimed had

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Q. Were your crew below before the foreigners fired?

A. Yes. Only myself was on deck.

Q. You were on deck alone?

A. Yes, except the helmsman.

Q. Did the guild boat fire?

A. No.

Q. Did the second or third boats fire?

A. The third one did not fire. The second one fired three times.

Q. Did you have your flag flying?

A. No.

Q. When you ordered the sail lowered, did the foreign boat not cry out; "Foreigners on board?"

A. No doubt the lowdah on the boat will tell you the truth if you ask him, for the foreign boat merely re-hoisted their sail after lowering it a little way.

The Taotai then pointed Mr. Ernest Brindle out and told the witness that he was the foreigner on board who had not been killed, to which the man replied: "I would not like to tell a lie, but I believe it was this man," and again pointed at Trissel.

Examination closed.

United States Consulate General,

Newchwang, China, June 14th, 1904.

I, Sam B. Trissel, being duly sworn, hereby certify that the above is a true and correct report of all the proceedings of held at Tienchwangtai, by the above board during the presence of the United States Consul General on the 13th day of June, 1904.

(Signed) Sam B. Trissel.

Subscribed and sworn to before me this 14th day of June, 1904.

(Signed) Henry B. Miller,

U.S.Consul General.

Q. Did the guild boat fire?

A. No.

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Subscribed and sworn to before me this 14th day of June,1904.

(Signed) Henry B. Miller,

U.S.Consul General.

Second Investigation.

Continuation of Enquiry into the death of Lewis L. Etzel, held in U.S.Consulate General at Newchwang on Thursday the June 9th, 1904, at 10:40 A.M.

Wang Wen Kwei, Lowdah of Junk being duly sworn and testified-

Ques. Where did you first meet Mr. Etzel and Brindle?

Ans. At the mouth of the Shang taitsze river.

Ques. On what day?

Ans. On Monday.

Ques. At what time?

Ans. About half past four, Mr. Etzel and Mr. Brindle came on board my junk at that time.

Ques. Did you sail at once?

Ans. As soon as all was arranged we set sail.

Ques. How far were you when you met the junks?

Ans. About thirty li.

Ques. What was the first you saw of the junks?

Ans. I was steering my junk. Four junks sailed up and called out for me to drop my sail and anchor, which I did, and they pointed their guns at me when I called out for them not to fire as I had foreigners on board.

Ques. Did they make any reply?

Ans. Yes they called out for me to proceed when I ordered my men to hoist the sail, and while this was being done the other three boats came within range and the first boat without any warning opened fire on our boats and the other three followed suit.

Ques. What did you think these men were when you first say them?

Ans. I know them to be soldiers from their uniform jackets.

Ques. About how many soldiers on each boat?

Ans. Seven to eight on each boat,not including the crews.

Ques. Do you know where these boats came from?

Ans. These boats were commandeered by these soldiers at

Second Investigation.

Court Martial of Enquiry into the death of Lewis L. Ritzel, held in U.S.Consulate General at Newchwang on Thursday the 9th, 1904, at 10:40 A.M.

Wang Wen Kwei, Lowdan of Junk being duly sworn and testified.

Ques. Where did you first meet Mr. Ritzel and Brindle?

Ans. At the mouth of the Shang tatsze river.

Ques. On what day?

Ans. On Monday.

Ques. At what time?

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Erhchiako, I was informed by a native of Tientsin by the name of Liu who was a lowdah of one of the boats and left behind by the soldiers.

Ques. When were these boats taken?

Ans. On the same day as we left, but earlier in the day.

Ques. Who do you know was in charge of these boats?

Ans. He told us his surname was Pan and that he was one of General Chu's corporals, and he had a warrant about 18 inches square white paper, black character and red seal.

Ques. How far were you off when you saw this paper?

Ans. About eight or ten feet. This warrant was not shewn until after the firing had ceased and we had again dropped our sail. He inquired if any one had been hurt and we replied in the negative for fear that we should all be killed and requested Mr. Brindle to shew himself. After seeing this Gentleman he shewed this warrant.

Ques. What did this man look like?

Ans. A short stout man with a fat oval face about odd years of age with an evil expression. While he was speaking he was still pointing his rifle.

Ques. How was this man dressed?

Ans. With a black turban round his head and a grey uniform jacket with black bordering.

Ques. How many shots did they fire?

Ans. Over a hundred fifty shots.

Ques. Did you see Mr. Etzel shot?

Ans. Yes, they were firing indiscriminately and after 6 or 7 shots I was struck in the back by a bullet from one of the boats which were about 30 or 40 yards off.

Ques. What did you do when you were shot?

Ans. I jumped in Mr. Etzel's compartment.

Ques. How long after you went in was Mr. Etzel shot?

Ans. As soon as I jumped in I pointed out I was wounded

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Ans. He told us his surname was Pan and that he was one of General Chu's corporals, and he had a warrant about 18 in. by 8 in. square white paper, black character and red seal.

Ques. How far were you off when you saw this paper?

Ans. About eight or ten feet. This warrant was not shown until after the firing had ceased and we had again dropped our sail. He inquired if any one had been hurt and we replied in the negative for fear that we should all be killed and requested Mr. Brindle to show himself. After seeing this Gentleman he showed this warrant.

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Ques. How long did the firing go on after this?

Ans. Seventy or eighty shots.

Ques. What did you do after Mr. Etzel was shot?

Ans. I went on deck and called out for them to stop firing as I had foreigners on board.

Ques. Was it then that you asked Mr. Brindle to shew himself?

Ans. When I called out about foreigners they asked to see them, and I said there was only one and called for Mr. Brindle to come out. They then told us to proceed and after sailing about a li again overtook us and ordered us to stop asking if anyone had been killed, and we replied in the negative and said only one had been wounded. After firing had ceased Mr. Brindle shewed his Chinese passport when Pan produced and held up his warrant for us to see.

Ques. What became of these boats?

Ans. As soon as they heard from us that no one had been killed Pan said that he had to proceed on his duty and sailed away.

Ques. Why did you say no one had been shot?

Ans. If we had let them see that a foreigner had been killed they would doubtless have killed Mr. Brindle and the 11 Chinese crew and the Chinese owner on board and our disappearance would have been reported as the work of robbers.

Ques. Could they have seen ~~firing~~ foreigners before firing?

Ans. The first boat could easily have seen them as both Mr. Brindle and Mr. Etzel were walking on deck while they were sailing up.

in the back and immediately after saying this Mr. Ritzel was shot in the back of his head which with his chest was the only part of him above the top of the boat. He fell heavily striking his head on the side of the boat and did not murmur. My shoulders were covered with blood from his wound.

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Ques. Was it then that you asked Mr. Brindle to show himself?

Ans. When I called out about foreigners they asked to see them, and I said there was only one and called for Mr. Brindle to come out. They then told us to proceed and after sailing about a li again over took us and ~~asked~~ ordered us to stop asking if anyone had been killed, and we replied in the negative and said only one had been wounded. After firing had ceased Mr. Brindle showed his Chinese passport when Pan produced and held up his warrant for us to see.

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Ques. Could they have seen ~~firing~~ foreigners before firing?

Ans. The first boat could easily have seen them as both Mr. Brindle and Mr. Ritzel were walking on deck while they were sailing up.

Ques. What do you suppose was their object in firing?

Ans. I should think robbery.

Ques. How far were the boats when Mr. Brindle and Mr. Etzel went below?

Ans. The first boat was quite close when they went below and the other boats were over one hundred yards away. The second boat was the one under the man Liu and its crew knowing mine also implored the soldiers not to fire, and if it had not been for their intervention I feel sure we should have all been killed. One of the crew on this second boat was wounded in the leg by a shot from a soldier on the same boat.

Ques. Do you think they fully intended to shoot the foreigners on your boat?

Ans. I feel sure of it and think that Mr. Brindle's passport also helped to save the situation.

Ques. Do you think that if you had not had foreigners on board they would have fired?

Ans. That I could not say but think that the mere fact of our having foreigners on board would be apt to excite their feelings. My boat is usually employed on the river here and does not usually go to sea when sailing from this port to meet the foreign gentlemen.

Ques. Did you meet any junks on the way round?

Ans. I met two of the boats which attacked us and was asked by them where I was bound for, and I replied I was going up the river for bay. These two boats had then soldiers on board. This was the day before we were fired upon.

Ques. Did you see this man Pan on that day?

Ans. I did not notice him but there were over 20 soldiers on the two boats at that time.

Ques. Would you be able to get the man on the second junk which belongs to Liu, and which you say you know?

Ans. The owner of my junk has already sent for the crew to

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Ques. How far were the boats when Mr. Brindle and Mr. Hazel went below?

Ans. The first boat was quite close when they went below and the other boats were over one hundred yards away. The second boat was the one under the man Lin and its crew knowing mine also implored the soldiers not to fire, and if it had not been for their intervention I feel sure we should have all been killed. One of the crew on this same boat was wounded in the leg by a shot from a second soldier on the same boat.

Ques. Do you think they fully intended to shoot the foreigners on your boat?

Ans. I feel sure of it and think that Mr. Brindle's passport also helped to save the situation.

Ques. Do you think that if you had not had foreigners on board they would have fired?

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Ques. Would you be able to get the man on the second junk which belongs to Lin, and which you say you know?

Ans. The owner of my junk has already sent for the crew to

come here and they will present themselves on arrival here.

Liu Yiu P'u(Mr. Etzel's Boy) being duly sworn and testified.

Ques. Did you go with Mr. Etzel and Mr. Brindle to Shwang-taitsze?

Ans. Yes, on Sunday the Chinese 22nd day.

Ques. When did you arrive at the mouth of Shwangtaitsze river?

Ans. On the following day in the afternoon at about 3 Oclock.

Ques. When did you set sail?

Ans. As soon as we went on board the big junk.

Ques. What time did you meet the junks with the soldiers on board?

Ans. At about 5 o'clock in the afternoon.

Ques. What first attracted your attention about them?

Ans. There was nothing extraordinary about them when they were sailing up-the men were sitting on the deck and in the hold-when they came closer we noticed the men had guns and Mr. Etzel waved his hand before them and I called out that there were foreigners on board and they should not fire. Mr. Etzel was on deck at the time that firing started.

Ques. Were you on deck when firing commenced?

Ans. I was on deck at the time and shortly after jumped into the compartment adjoining Mr. Etzel's at the stern. Mr. Etzel went below at the same time as I did.

Ques. Where were you when Mr. Etzel was shot?

Ans. In the hold of the boat and the Lodah called out to me that Mr. Etzel was shot.

Ques. Did you recognize the men as soldiers?

Ans. Yes, by their close fitting jackets trimmed with black braid.

Ques. When the firing had ceased what took place?

Ans. Mr. Brindle's passport was, I think, first shewn to the soldiers.

Ques. After the boats left you what did your boat do?

Ans. Mr. Brindle asked which was the nearest place to Newchwang and Erhchaiko was suggested for which place we set sail.

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Lim Yin P'u(Mr. Etzel's Boy) being duly sworn and testified.

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Ques. What did you do when you arrived there?

Ans. Mr. Brindle wished to go to Tienchwangtai station and upon applying at the Guard House for the man in charge were told that he was out after brigands, and they sent a soldier to act as our guide to the Tienchwangtai station. Mr. Brindle left his Chinese card at this ~~xxxxxxx~~ guard house. We were asked if we had seen any of their junks outside and I replied in the affirmative but did not mention that anything had happened. They told us there that about twenty of General Chu's soldiers had gone out and about the same number of village volunteers had gone out in junks to capture robbers.

Dr. T. L. Brander duly sworn testifies. I am the Port Physician of NewChwang a graduate of Edinburgh University and knew Mr. Etzel in his life time.

Ques. Did you recognize the body as that of Mr. Etzel?

Ans. I did.

Ques. Did you make a postmortem on his body?

Ans. I did on the 8th day of June.

Ques. Kindly state to the investigation the result of your examination and what was the cause of death.

Ans. I found a scalp wound in the back of the head and on opening up the scalp found the corresponding bones of the skull smashed into over a dozen pieces. I took out and examined the brain and found it bruised and torn at the back and found a small splinter of a bullet (produced), the bullet itself I did not find although I examined the brain very carefully for it. There were no marks on the front of the skull to shew that bullet had gone through the brain, and I am of opinion that the bullet must not have gone very far in and that in the fall of the body it must have dropped out. There were no other external marks of violence on the body only the usual postmortem appearances and signs of having lost a considerable amount of blood, the under

Ques. What did you do when you arrived there?

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Ans. I did on the 8th day of June.

Ques. Kindly state to the investigation the result of your examination and what was the cause of death.

Ans. I found a scalp wound in the back of the head and on opening up the scalp found the corresponding bone of the skull smashed into over a dozen pieces. I took out and examined the brain and found it bruised and torn at the back and found a small splinter of a bullet (produced), the bullet itself I did not find although I examined the brain very carefully for it. There were no marks on the front of the skull to show that bullet had gone through the brain, and I am of opinion that the bullet must not have gone very far in and that in the fall of the body it must have dropped out. There were no other external marks of violence on the body only the usual postmortem appearances and signs of having lost a considerable amount of blood, the under

clothing being very much stained. I am of opinion that death was caused by a bullet fired from a rifle.

Close of the investigation for the day.

Signed)

A? Van Ess, Newchwang 9th June, 1904.

H. B. Bush, " " " "

J.B. Harrop, " " " "

Henry B. Miller, " " " "

U.S.Consul General, Newchwang,

9th June, 1904.

closing being very much strained. I am of opinion that death was caused by a bullet fired from a rifle.

Close of the investigation for the day.

(signed) A? Van Ness, Newcomerstown 9th June, 1904.

H. B. Bush, were asked if we had seen any of their jumps and replied in the affirmative but did not think anything has happened. They told us there that Mr. Henry B. Miller, U.S. General, Newcomerstown, 9th June, 1904.

Physician of Newcomerstown a graduate of Edinburgh University and knew Mr. Neal in his life's time.

Did you recognize the body as that of Mr. Neal? I did.

Did you make a postmortem on his body?

I did on the 8th day of June.

Kindly state to the investigation the result of your examination and what was the cause of death.

I found a scalp wound in the back of the head and on opening up the scalp found the corresponding bones of the skull smashed into over a dozen pieces. I took out and examined the brain and found it bruised and torn at the back and found a small splinter of a bullet (produced), the bullet itself I did not find although I examined the brain very carefully for it. There were no marks on the front of the skull to show that bullet had gone through the brain, and I am of opinion that the bullet must not have gone very far in and that in the fall of the body it must have dropped out. There were no other external marks of violence on the body only the usual postmortem appearances and signs of having lost a considerable amount of blood, the under

Third Investigation.

Continuation of investigation into the death of Lewis L. Etzel held at U.S.Consulate General Newchwang on Friday the 10th June, 1904 at 3:10 P.M.

Liu Heo, being duly sworn and testified, that he is a native of Tientsin owner of a junk at Erhchaiko.

Ques.Where were you on Monday last?

Ans. I was at Erhchaiko.

Ques.Are you owner of a junk at Erhchaiko?

Ans. Yes.

Ques. What happened to you and your junk at Erhchaiko on the morning of the Chinese 23rd?

Ans. I was in my junk in a creek at Erhchaiko drying shrimps and while doing this a few Chinese soldiers wearing black uniform with red characters demanding the use of my junk. I refused saying that the planks were too thin to go to sea whereupon they struck me twice across the back and went aboard the junk.

Ques. How many soldiers?

Ans. seven.

Ques. What soldiers were they?

Ans. I could not say but they had on black braided uniform of a bluish colour with red characters.

Ques. Was there any officer in charge?

Ans. I did not recognize any as such.

Ques. How many men went as crew in your boat?

Ans. Four including myself, my brother was left behind, our usual crew is five.

Ques. Where does your boat usually stop?

Ans. Newchwang.

Ques. What time in the morning was it that these soldiers came?

Ans. About 9 o'clock.

Ques. What did they say after they boarded?

Ans. They ordered me to proceed to sea when I again objected on account of the frailty of the boat when they again struck me and insisted that I should at once put

Third Investigation.

Continuation of investigation into the death of Lewis L. Reed held at U.S.Consulate General Newchwang on Friday the 10th June, 1904 at 3:10 P.M.

Lin Heo, being duly sworn and testified, that he is a native of Tientsin owner of a junk at Erhohatko.

Ques.Where were you on Monday last?

Ans. I was at Erhohatko.

Ques.Are you owner of a junk at Erhohatko?

Ans. Yes.

Ques. What happened to you and your junk at Erhohatko on the morning of the Chinese 23rd?

Ans. I was in my junk in a creek at Erhohatko drying shrimps and while doing this a few Chinese soldiers wearing black uniform with red characters demanding the use of my junk. I refused saying that the planks were too thin to go to sea whereupon they struck me twice across the back and went aboard the junk.

Ques. How many soldiers?

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Ques. What soldiers were they?

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Ques. Was there any officer in charge?

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Ques. How many men went as crew in your boat?

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Ques. Where does your boat usually stop?

Ans. Newchwang.

Ques. What time in the morning was it that these soldiers came?

Ans. About 9 o'clock.

Ques. What did they say after they boarded?

Ans. They ordered me to proceed to sea when I again objected on account of the frailty of the boat when they again struck me and insisted that I should at once put

to sea in search of pirates.

Ques. What direction did you sail?

Ans. In a southwerterly direction.

Ques. Did you meet any pirates that morning?

Ans. No.

Ques. What station did these soldiers come from?

Ans. I do not know, they came from eastward.

Ques. How long was it before you met the boat belonging to Liu Fu?

Ans. We first sighted it at about 2 P.M. when we were about 20 li out.

Ques. What did the soldiers say when you sighted the junk?

Ans. They passed no remarks, they were having their food.

Ques. How long was it before you came up to the junk?

Ans. At about half past four - time for the evening meal.

Ques. When were you joined by three other junks.

Ans. We all left Erhchaiko together.

Ques. Were there soldiers, and how many on the other junks?

Ans. There were soldiers but I could not say how many.

Ques. Did all four junks come up to the other junks at the same time?

Ans. Yes all together.

Ques. At what time did the soldiers make preparation to fire on the junk?

Ans. A little over a hundred yards.

Ques. What remarks did they make?

Ans. They said this must be a pirate boat and we must attack. Whereupon I called out that I knew the crew of the other boat and as the lodah was the only one on deck he would be shot, and if there were pirates they all were evidently below.

Ques. Did you see foreigners on the boat?

Ans. Yes after firing had commenced.

Ques. Did you see any before?

Ans. I was too busy with the management of my boat to notice.

Ques. How many shots were fired from your boat?

Ans. I was too nervous to take particular notice but

to see in search of pirates.

Ques. What direction did you sail?

Ans. In a southwesterly direction.

Ques. Did you meet any pirates that morning?

Ans. No.

Ques. What station did these soldiers come from?

Ans. I do not know, they came from eastward.

Ques. How long was it before you met the boat belonging to Lin Fu?

Ans. We first sighted it at about 2 P.M. when we were about 20 li out.

Ques. What did the soldiers say when you sighted the junk?

Ans. They passed no remarks, they were having their food.

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Ques. Did you see any before?

Ans. I was too busy with the management of my boat to notice.

Ques. How many shots were fired from your boat?

Ans. I was too nervous to take particular notice but

should think approximately 40 or 50.

Ques. Why did they stop firing?

Ans. Because the crew of the other boat called out there were foreigners on board and a foreigner showed himself and a passport, when a man in the biggest junk replied that he was also had a passport and showed it., the big junk was only a few yards off.

Ques. What was the name of the man with the pass?

Ans. I don't know he was a soldier.

Ques. Did you know if anyone on the other junk was killed?

Ans. No, no one on my boat knew of any one being killed as the ottmer of the other boat only reported his lodah grazed.

Ques. Do you think the soldiers particularly wished to shoot the foreigners?

Ans. I could not say but feel sure that had it not been for the guarded words of the owner of the other boat all on board would have been killed.

Ques. Were all the other boats commandeered like yours?

Ans. Yes, from the same place.

Ques. Where have the soldiers from your boat now gone?

Ans. We returned to Erhhhaiko on the morning of the Chinese 25th, and the soldiers after landing marched eastward.

Ques. Did all the other boats return at the same time?

Ans. No.

Ques? Did you attack any other boats before you returned?

Ans. No.

Ques. Was a man on your boat wounded?

Ans. Yes, shot through the thigh by accident.

Ques. Have you been after robbers before?

Ans. No, this was my first voyage to Erhchaiko.

Ques. Did the boat on which the foreigners were fire at all?

Ques.Ans. No.

Ques. Have you heard if other boats are often commandeered

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Ques. Were all the other boats commandeered like yours?

Ans. Yes, from the same place.

Ques. Where have the soldiers from your boat now gone?

Ans. We returned to Kiukiang on the morning of the Chinese 25th, and the soldiers after landing marched eastward.

Ques. Did all the other boats return at the same time?

Ans. No.

Ques? Did you attack any other boats before you returned?

Ans. No.

Ques. Was a man on your boat wounded?

Ans. Yes, shot through the thigh by accident.

Ques. Have you been after robbers before?

Ans. No, this was my first voyage to Kiukiang.

Ques. Did the boat on which the foreigners were fire at all?

Ques. Ans. No.

Ques. Have you heard if other boats are often commandeered

to go after robbers?

Ans. I have not heard.

Ques. Where are the crews of the other boats that were out at the same time as yours?

Ans. I could not say, the three junks have all left Erh-chaiko.

Ques. Who first gave the order to fire?

Ans. I could not say as a strong wind was blowing.

Ans Ques. Which boat first fired?

Ans. One of the smaller junks, the man in charge of the soldiers was on the biggest boat.

Proceedings closed for the day.

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Ques. Were all the other boats commandeered like yours?

Ans. Yes, from the same place.

Ques. Where have the soldiers from your boat now gone?

Ans. We returned to Mirbat on the morning of the fifteen 25th, and the soldiers after landing marched eastward.

Ques. Did all the other boats return at the same time?

Ans. No.

Ques. Did you attack any other boats before you returned?

Ans. No.

Ques. Was a man on your boat wounded?

Ans. Yes, shot through the thigh by accident.

Ques. Have you been after robbers before?

Ans. No, this was my first voyage to Mirbat.

Ques. Did the boat on which the foreigners were fire at all?

Ans. No.

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Tien Chwang tai,

June 7th, 1904, 3:20 P.M.

Court of enquiry into the death of Mr. Lewis L. Etzel before Mr. H. B. Miller, U.S.Consul General and Gen. Chu Ch'ing Lan. Jury sworn, H. A. Bush, J. B. Harrop, A. Van Ess. Each juror recognizes that the body before them is that of Lewis L. Etzel, and American citizen.

1st witness Ernest Brindle being duly sworn testified:

The first difficulty occurred over a junk engaged to be ready at Shwang taitsze. It was not ready on Sunday evening and we stayed till Monday morning in a native hotel. Yesterday morning we walked to the railway bridge and from thence back to the hotel where the owner of the boat informed us that he was afraid his boat had been captured by pirates but that we could have a smaller boat at 7 o'clock in the morning. We waited for Mr. Etzel's luggage by train from Yingkow when before going on the boat a Chinese officer at Shwangtaitsze told us that there were pirates outside and he suggested that he should send troops with us for protection; we informed him that we were armed and we thought that by coming to us as he did he took the ppportunity to have his troops under foreigners. He told us not to start till 10 o'clock when he would send a police boat.

General Chu stated the name of this officer as Liu wen Shiang. We regarded the trip as a good expedition and started at 11 o'clock without Chinese soldiers, stating that if at 1 o'clock we saw the police boats we would wait for them. At 1 o'clock saw no boats therefore proceeded on our journey. Nothing occurred until we met our big boat at Erh Chieh Ko on the Tung ho and we there transferred our baggage at 5:30 P.M. congratulating ourselves that after our two days wait we got our boat. A stiff breeze rising we set sail in the direction of Kaichow. At about 5:30 P.M. Mr. Etzel and I were sitting talking when he went down to his partition in the hold of the boat and when I looked down I saw him lying in his bunk. I then went to my compartment and began reading a

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book. About 5 minutes later I heard a lot of shouting and immediately after my mafoo looked down the hold and said "Hung-hutsze makee fight." The sun was just going down. I picked up a gun, loaded it and handed it to the mafoo who was gone. I heard Mr. Etzel say "Why do you pull down the sail, put it up." I also shouted up, "Put up the sail," or words to that effect. Firing had started directly after mymafoo had called me-balls qhizzing in all directions and hitting the junk. Just after we had spoken about the sail my mafoo looked down and said, "Makee die next door." I said, "Who man makee die?" He said this man pointing with his finger to Mr. Etzel's apartment. I put down the gun which I still had in my hand and got over the partition to Mr. Etzel's cabin. As I was getting up-the side was very high- the owner of the junk said, "Foreign man shew himself he no can shoot." I looked and I saw four larger junks and from the appearance of the men with the guns I judged they were pirates. They had no uniform and were of a villianous appearance. They stopped firing when they saw me and I sat on the hold for several minutes watching two of the boats coming up from behind. The men were still clicking their rifles in a threatening manner. I went into Mr. Etzel's cabin and found him in a pool of blood lying on his back with his arm over his face and breathing heavily with his eyes closed. I spoke to him saying, "Etzel, old man," and moved him to a more comfortable position which seemed to hurt him, but he did not speak. I called to my mafoo for some linen and put it on the back of his head and moistened his lips with brandy which seemed to revive him but he did not.

Ques. Did either of you fire a shot?

Ans. Not a shot, we had no time. After trying to force half a glass of brandy down and he stiffened. Mr. Etzel had raised himself when he heard firing and had been shot from behind through the left side of the back of the head. We counted six men on one boat and should say there was the same number on other boats none of them had uniform. After being certain

-4-

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book. About 5 minutes later I heard a lot of shouting and immediately after my mafoo looked down the hold and said "Hung-hutsze makee fight." The sun was just going down. I picked up a gun, loaded it and handed it to the mafoo who was gone. I heard Mr. Etzel say "Why do you pull down the sail, put it up." I also shouted up, "Put up the sail," or words to that effect. Firing had started directly after mymafoo had called me-balls qhizzing in all directions and hitting the junk. Just after we had spoken about the sail my mafoo looked down and said, "Makee die next door." I said, "Who man makee die?" He said this man pointing with his finger to Mr. Etzel's apartment. I put down the gun which I still had in my hand and got over the partition to Mr. Etzel's cabin. As I was getting up-the side was very high- the owner of the junk said, "Foreign man shew himself he no can shoot." I looked and I saw four larger junks and from the appearance of the men with the guns I judged they were pirates. They had no uniform and were of a villianous appearance. They stopped firing when they saw me and I sat on the hold for several minutes watching two of the boats coming up from behind. The men were still clicking their rifles in a threatening manner. I went into Mr. Etzel's cabin and found him in a pool of blood lying on his back with his arm over his face and breathing heavily with his eyes closed. I spoke to him saying, "Etzel, old man," and moved him to a more comfortable position which seemed to hurt him, but he did not speak. I called to my mafoo for some linen and put it on the back of his head and moistened his lips with brandy which seemed to revive him but he did not.

Ques. Did either of you fire a shot?

Ans. Not a shot, we had no time. After trying to force half a glass of brandy down and he stiffened. Mr. Etzel had raised himself when he heard firing and had been shot from behind through the left side of the back of the head. We counted six men on one boat and should say there was the same number on other boats none of them had uniform. After being certain

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Mr. Etzel was dead I washed his face and straightened his leg and fingers and then went on deck, when my boy told me to keep down for if the men on the boats should see an English man dead they would kills us all. I therefore kept below and told them to make for the nearest port but not Yingkow on account of the Russian order. On the way to Erhchiako I noticed that one of the junkmen had also been shot and was wounded in the back, I gave him some brandy. This was the only other case of effectual firing.

Ques. How long did the firing last?

Ans. About 5 minutes. What saved me was that I produced a passport issued to me two years ago and my Chinese card which I sent on board one of the junks when they all left. We arried at Erhchiako where we engaged a guide and lantern and arrived at Tienchwangtai station at about 1:30 A.M. and going to the telegraph office, and was told that there would be one to receive a telegram at Yingkow. So we went to a Chinese house until 5:30 A.M. when I came out and sent telegram.

Ques. As far as you know these men were pirates?

Ans. No, the explanation I got was that these men were soldiers dressed as pirates to deceive the pirates. The name of the Captain of the soldiers was Pan Yung Ho.

Wang Feng Cho being duly sworn and testified:

Ques. When you saw the boats did either of the foreigners fire shots?

Ans. No shots were fired.

Ques. Were any shots fired from your boat that day?

Ans. No not one.

Ques. When you saw the boats did you think they were pirates or soldiers?

Ans. The first boat I did not know but the second one I recognized soldiers and called out, "There are foreigners on boat, don't fire." There were four boats, 3 beanboats and one seagoing boat with about 10 to 12 men including the crew on each. The boats were about 20 li from the

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shore. About 100 shots were fired, even after we had called out and continued after we lowered the sail. They men on the pirate boat stated they thought ours were a pirate boat. I went below when the firing started and did not see Mr. Etzel shot.

Li Yung Suen, Mr. Brindle's Mafoo, being duly sworn testified:

Ques. Were you on the boat at the time of the firing?

Ans. I was.

Ques. How far from the shore?

Ans. 20 odd li.

Ques. How many boats came up?

Ans. Four.

Ques. Did all the boats fire at the same time?

Ans. One boat went ahead to stop our boat and then all fired.

Ques. How many men with guns on each boat?

Ans. Difficult to say, but should think 10 or 12.

Ques. Were they pirates or soldiers?

Ans. Soldiers, a man by the name of Pan showed me his authority which he said was from General Chu at Tienchwangtai.

Ques. Where are they now?

Ans. They sailed away in search of pirates.

Ques. Were all four boats under the same troops?

Ans. Yes, all the same.

Ques. Did you see Mr. Etzel when he was shot?

Ans. I was in my Master's cabin when the bullet passed close to me and I looked round and saw him fall and told my Master so.

Ques: How many shots were fired?

Ans. From the four boats over a hundred shots were fired.

Ques. Why did they stop firing?

Ans. We lowered our sail.

Wang Sing Chao being duly sworn and testified. After firing had stopped I showed Mr. Brindle's passport (Shown) to the men who said they had mistaken us for pirates but if any body was shot he could give a man in exchange. After seeing the passport they offered no further assault

shore. About 100 shots were fired, even after we had called out and continued after we lowered the sail. They men on the pirate boat stated they thought ours were a pirate boat. I went below when the firing started and did not see Mr. Ketzel shot.

Lt Yung Suen, Mr. Brindle's Mafoo, being duly sworn testified:

Ques. Were you on the boat at the time of the firing?

Ans. I was.

Ques. How far from the shore?

Ans. 20 odd ft.

Ques. How many boats came up?

Ans. Four.

Ques. Did all the boats fire at the same time?

Ans. One boat went ahead to stop our boat and then all fired.

Ques. How many men with guns on each boat?

Ans. Difficult to say, but should think 10 or 12.

Ques. Were they pirates or soldiers?

Ans. Soldiers, a man by the name of Pan showed me his authority which he said was from General Chu at Tienchowangfai.

Ques. Where are they now?

Ans. They sailed away in search of pirates.

Ques. Were all four boats under the same trooper?

Ans. Yes, all the same.

Ques. Did you see Mr. Ketzel when he was shot?

Ans. I was in my Master's cabin when the bullet passed close to me and I looked round and saw him fall and told my Master so.

Ques: How many shots were fired?

Ans. From the four boats over a hundred shots were fired.

Ques. Why did they stop firing?

Ans. We lowered our sail.

Wang Sing Chao being duly sworn and testified. After firing had stopped I showed Mr. Brindle's passport (Shown) to the men who said they had mistaken us for pirates but if any body was shot he could give a man in exchange. After seeing the passport they offered no further assault

and asked where the man that had been shot was, and we told him a Chinaman had been wounded, but feared to say a foreigner had been shot for fear of all being shot.

Lee Yung Suen being duly sworn and testified that all the Chinese on board the boat had called out that there were foreigners on the boat, both before and during the firing.

Liu Fu (owner of the boat) being duly sworn and testified he was the owner of the junk which he leased to and sailed for Mr. Etzel and Mr. Brindle. They started from the Shwang taitsze river at 11 o'clock yesterday.

Ques. What time was it you saw these boats?

Ans. About 6 o'clock.

Ques. How many boats?

Ans. Four.

Ques. What did you first notice about them?

Ans. Two junks at anchor and when in sight a seagoing junk crossed our bows hailing us saying they were going to fire. I replied we have 2 foreigners on board. The leading junk fired a shot in the air and shortly after all four junks fired.

Ques. What did you think they were?

Ans. I was certain from the way they were dressed they were Chinese soldiers.

Ques. How many men on each boat?

Ans. About 30 odd on all four-10 or 12 on each.

Ques. When close did you call out that you had foreigners on board?

Ans. Yes, and they must have easily seen that they had as both the foreigners were walking on the deck when the boats were coming up.

Ques. Did they say why they fired?

Ans. They said they thought we were pirates.

Ques. What was the name of the soldier in charge of the boat?

Ans. He said his name was Pan.

Ques. How do you know they were proper soldiers?

Ans. When they first fired they had no uniform but after they

and asked where the man that had been shot was, and we told him a Chinaman had been wounded, but feared to say a foreigner had been shot for fear of all being shot.

Lee Yung Suen being duly sworn and testified that all the Chinese on board the boat had called out that there were foreigners on the boat, both before and during the firing.

Lin Fu (owner of the boat) being duly sworn and testified he was the owner of the junk which he leased to and sailed for Mr. Mikel and Mr. Brindle. They started from the Shwang tatsze river at 11 o'clock yesterday.

Ques. What time was it you saw these boats?

Ans. About 6 o'clock.

Ques. How many boats?

Ans. Four.

Ques. What did you first notice about them?

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Ans. They said they thought we were pirates.

Ques. What was the name of the soldier in charge of the boat?

Ans. He said his name was Pan.

Ques. How do you know they were proper soldiers?

Ans. When they first fired they had no uniform but after they

fired stopped firing about half the crews had uniforms-their evident reason for firing was that our boat had an unusual number of men.

Ques. Did you see the paper the man on the boat had?

Ans. Yes, a big paper, but I did not see it closely.

General Chu-stated that the man in charge at Shwangtaitsze knowing that foreigners were going should have sent an escort and had he himself known he would have sent one the whole way. He often sent men in junks to suppress pirates and the day before yesterday he sent ten men out in boats.

At Shwangtaitsze he has 10 or 12 soldiers and a certain number of cavalry. A man by the name of Pan, a Corporal, was sent in charge of the party leaving the day before yesterday. The man in charge at Shwangtaitsze is a Corporal by the name of Liu.

This Coroners investigation is adjourned to meet at Newchwang.

Signed:

H. A. Bush, 7th June, 1904.

A. Van Ess, " " "

J. B. Harrop, " " "

Henry B. Miller, U.S.Consul General.

General Chu writes in Chinese.

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This Coroners investigation is adjourned to meet at Newchwang.

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H. A. Ruan, 7th June, 1904.

A. Van Ess, " " "

J. B. Herrop, " " "

Henry B. Miller, U.S.Consul General.

General Chu writes in Chinese.

United States Consulate General,

Newchwang, China, June 14th, 1904.

In the sitting of a Coroner's Jury to investigate into the killing of Lewis L. Etzel, a citizen of the United States of America, Ernest Brindle being called testified as follows:

Ques. What guns did you and Mr. Etzel have on board the Chinese junk on Monday June 6th, 1904.

Ans. Two Mauser rifles made in Erfurt, in 1877, shooting a .45 Caliber lead, uncased bullet with brass shell; one Winchester rifle .44 caliber, one Mauser pistol, and a Webley pocket pistol .38 Caliber.

Ques. Can you produce cartridges of the kind used in these guns?

Ans. Yes, (cartridges herewith produced, and made part of this evidence.)

(Signed) A. Van Ess,

H. A. Bush.

Henry B. Miller,

U. S. Consul General.

United States Consulate General,

Newchwang, China, June 14th, 1904.

In the sitting of a Coroner's Jury to investigate into the killing of Lewis L. Ketzel, a citizen of the United States of America, Ernest Brindle being called testified as follows:

Ques. What guns did you and Mr. Ketzel have on board the Chinese junk on Monday June 6th, 1904.

Ans. Two Mauser rifles made in Erfurt, in 1877, shooting a .45 Caliber lead, uncased bullet with brass shell; one Winchester rifle .44 caliber, one Mauser pistol, and a Webley pocket pistol .38 Caliber.

Ques. Can you produce cartridges of the kind used in these guns?

Ans. Yes, (cartridges herewith produced, and made part of this evidence.)

(Signed) A. Van Hee, June, 1904.

A. Van H. A. Bush.

" " "

Henry B. Miller, Consul General.

U. S. Consul General.

General Chu writes in Chinese.

In the United States Court for the Consular
District of Newchwang, China.

Before Henry B. Miller Consul General acting as Coroner in the matter of the Coroner's inquest on the body of Lewis L. Etzel found on a junk at sea and examined at Tienchwangtai, the undersigned Jurors summoned to appear before the Consul General of the United States of America acting as Coroner at Tienchwangtai and Newchwang, China, on the 7th, 9th, 10th and 13th days of June 1904 to inquire into the cause of the death of Lewis L. Etzel. having been duly sworn according to law and having made such inquisition after inspecting the body and having the evidence adduced upon our oaths each and all do say that we find the deceased was named Lewis L. Etzel a citizen of the United States aged about 37 years that he came to his death by a gun shot fired by a Chinese Soldier.

We find that Mr. Etzel in company with Mr. Ernest Brindle(a British Subject) was sailing in a Chinese junk from the Shwangtaitsze river towards Kaichow in Manchuria, that at about Six O'clock P.M. on the 6th day of June, 1904, while peacefully sailing at sea, about thirty li from the shore, near Erhchaiko, they were attacked by Chinese soldiers on four junks, and fired upon, without warning. The number of shots fired by the soldiers was between fifty and one hundred.

During the firing the lodah was shot and slightly wounded and Mr. Etzel was shot in the back of the head and died immediately without speaking.

We find that no shots were fired by the foreigners or from their boat at any time, and that the attack and killing of Mr. Etzel was entirely unprovoked and wholly without cause and unjustifiable.

We find the soldiers committing this crime were from Tienchwangtai and under the immediate command of a corporal

In the United States Court for the Consular

District of Newchwang, China.

Before Henry B. Miller Consul General acting as Coroner in the matter of the Coroner's inquest on the body of Lewis L. Ktzel found on a junk at sea and examined at Tiencheangtai, the undersigned Jurors summoned to appear before the Consul General of the United States of America acting as Coroner at Tiencheangtai and Newchwang, China, on the 7th, 9th, 10th and 13th days of June 1904 to inquire into the cause of the death of Lewis L. Ktzel. having been duly sworn according to law and having made such inquisition after inspecting the body and having the evidence adduced upon our oaths each and all do say that we find the deceased was named Lewis L. Ktzel a citizen of the United States aged about 37 years that he came to his death by a gun shot fired by a Chinese Soldier.

We find that Mr. Ktzel in company with Mr. Ernest Brindle(a British Subject) was sailing in a Chinese junk from the Shwangtaitzze river towards Kaichow in Manchuria, that at about Six O'clock P.M. on the 6th day of June, 1904, while peacefully sailing at sea, about thirty li from the shore, near Kinchaitko, they were attacked by Chinese soldiers on four junks, and fired upon, without warning. The number of shots fired by the soldiers was between fifty and one hundred.

During the firing the Iodah was shot and slightly wounded and Mr. Ktzel was shot in the back of the head and died immediately without speaking.

We find that no shots were fired by the foreigners or from their boat at any time, and that the attack and killing of Mr. Ktzel was entirely unprovoked and wholly without cause and unjustifiable.

We find the soldiers committing this crime were from Tiencheangtai and under the immediate command of a corporal

by the name of Pan who was responsible for firing. The soldiers belong to the command of General Chu. The discipline and control of these troops is bad, and we are inclined to the belief that in their expeditions on the sea they attack boats indiscriminately.

We find that there was no intention to take the lives of these foreigners; but that death was due to the Criminal Carelessness and unjustifiable attack of these Chinese Soldiers upon an unoffending craft sailed by Chinese, with foreigners on board. We have not been able to find the slightest excuse for the attack on the part of the soldiers. We charge these soldiers and Pan particularly with the crime and urge that punishment of some kind fitting the case be demanded. Ten of these soldiers with Pan in charge belonging to General Chu's Command are all known to the Chinese Authorities. We have not been able to learn the names and number of those furnished as Volunteers, under Pan, coming from some Guild at Erhchaiko.

We charge the Chinese Government with criminal carelessness on the part of its troops resulting in the death of Lewis L. Etzel and recommend that an indemnity be demanded to be paid over by the Administrators of the estate of Lewis L. Etzel of not less than a hundred thousand Taels. We further recommend that the Chinese Government be urged to erect a suitable monument over the remains of Mr. Lewis L. Etzel and pay the expenses of burial.

(Signed) A. Van Ess,
H. A. Bush.
Jurors.

Subscribed and sworn to before me
this fourteenth day of June 1904.
(Signed) Henry B. Miller,
U.S.Consul General.

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We find that there was no intention to take the lives of these foreigners; but that death was due to the Criminal Carelessness and unjustifiable attack of these Chinese Soldiers upon an unoffending craft sailed by Chinese, with foreigners on board. We have not been able to find the slightest excuse for the attack on the part of the soldiers. We charge these soldiers and Pan particularly with the crime and urge that punishment of some kind fitting the case be demanded. Ten of these soldiers with Pan in charge belonging to General Chu's Command are all known to the Chinese Authorities. We have not been able to learn the names and number of those furnished as Volunteers, under Pan, coming from some Guild at Erhonhsiko.

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We further recommend that the Chinese Government be urged to erect a suitable monument over the remains of Mr. Lewis L. Etzel and pay the expenses of burial.

(Signed) A. Van Hee,

H. A. Bush.

Jurors.

Subscribed and sworn to before me this fourteenth day of June 1904.

(Signed) Henry B. Miller,

U.S.Consul General.

Consulate General of the United States,

Newchwang, China, June 8th, 1904.

I hereby certify that I have this day examined the dead body of Lewis L. Etzel, an American citizen known to me and find that his death was caused by a wound in the back of the skull, the skull bones being broken, evidently the result of a bullet fired from a rifle.

(Signed) Thos. E. Brander,

M.D.Edinr. University.

I Dr. T. L. Brander being first duly sworn certify that the above certificate is true to the best of my knowledge and belief.

(Signed) Thos. L. Brander, M.D.

United States Consulate General,

Newchwang, China, June 8th, 1904.

I hereby certify that Dr. T. L. Brander a duly authorized and practicing port physician appeared before me and being duly sworn signed the above document.

(Signed) Henry B.Miller,

U. S. Consul General.

Consulate General of the United States,
Newchwang, China, June 8th, 1904.

I hereby certify that I have this day examined the dead body of Lewis L. Ntxel, an American citizen known to me and find that his death was caused by a wound in the back of the skull, the skull bones being broken, evidently the result of a bullet fired from a rifle. (Signed) Thos. D. Brander, M.D. Rdinr. University.

I Dr. T. L. Brander being first duly sworn certify that the above certificate is true to the best of my knowledge and belief. (Signed) Thos. L. Brander, M.D.

United States Consulate General,
Newchwang, China, June 8th, 1904.

I hereby certify that Dr. T. L. Brander a duly authorized and practicing port physician appeared before me and being duly sworn signed the above document. (Signed) Henry B. Miller, U. S. Consul General.

Enclosure No. 2 In Despatch No. 1644

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 7th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that I am just in receipt of a telegram, saying that an American newspaper correspondent, Mr. Lewis L. Etzel is reported to have been killed by Chinese soldiers on Sunday last, June 5th, at or near T'ien-chuang-t'ai, a station on the railway not far this side of Ying-k'ou.

I have the honor to request that Your Imperial Highness will at once direct the local authorities to investigate the truth of this report, and kindly communicate to me without delay any news which Your Highness may have received upon the subject and any information touching the affair which may hereafter come to hand.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger.

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 2. In Despatch No. 164.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 7th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that I am just in receipt of a telegram, saying that an American newspaper correspondent, Mr. Dewis E. Mitzel, is reported to have been killed by Chinese soldiers on Sunday last, June 5th, at or near T'ien-chuang-t'ai, a station on the railway not far this side of Ying-k'ou.

I have the honor to request that Your Imperial Highness will at once direct the local authorities to investigate the truth of this report, and kindly communicate to me without delay any news which Your Highness may have received upon the subject and any information bearing the affair which may hereafter come to hand.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger.

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 3 In Despatch No. 1644

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt on the 24th instant (June 7th, 1904) of Your Excellency's note, saying that on June 5th an American Newspaper Correspondent, Mr. Etzel, so it was reported had been killed by Chinese soldiers near T'ien-chuang-t'ai.

Immediately upon receipt of Your Excellency's note, our Board sent telegrams to the Superintendent of Trade for the North and to the Tartar General of Shengking, directing them to investigate and take action. Later we received a telegraphic reply from the Superintendent of Trade for the North, saying that he had heard that an American Newspaper Correspondent named "I-ssu-lo" had been shot and killed at the mouth of the San-chieh-kou River on the 23rd of the present Moon(June 6th, 1904); that the place mentioned was some 70 li (23 miles) from T'ien-chuang-t'ai; and that he had appointed a Taot'ai, Mr. Liu Yu-lin, to hasten to the place and make an investigation and take action. We have also received a reply from the Tartar General of Shengking, saying that he had sent the Taot'ai, Chang-yueh, with instructions to assist the Taot'ai Liu, sent by the Superintendent of Trade for the North, in a thorough inquiry into the affairs; that perhaps the characters "I-ssu-lo" were a wrong translation of Mr. Etzel's name. (This remark is called out by the fact that our transliteration of the name is unlike that given to them. E.T.W.)

When the said Taot'ais shall have reported the facts in the case we shall write again to inform you; in the meantime we send this reply for Your Excellency's consideration.

We avail ourselves of the opportunity to wish you the compliments of the season.

Cards enclosed. Fourth Moon, 30th Day. (June 13th, 1904).

Enclosure No. 3 In Despatch No. 164.

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt on the 24th instant (June 7th, 1904) of Your Excellency's note, saying that on June 5th an American Newspaper Correspondent, Mr. Ritzel, so it was reported had been killed by Chinese soldiers near T'ien-chuang-t'ai.

Immediately upon receipt of Your Excellency's note, our Board sent telegrams to the Superintendent of Trade for the North and to the Tartar General of Shengking, directing them to investigate and take action. Later we received a telegraphic reply from the Superintendent of Trade for the North, saying that he had heard that an American Newspaper Correspondent named "I-sau-lo" had been shot and killed at the mouth of the San-chieh-kou River on the 23rd of the present Moon(June 6th, 1904); that the place mentioned was some 70 li (23 miles) from T'ien-chuang-t'ai; and that he had appointed a Taot'ai, Mr. Liu Yu-lin, to proceed to the place and make an investigation and take action. We have also received a reply from the Tartar General of Shengking, saying that he had sent the Taot'ai, Chang-yuan, with instructions to assist the Taotai Liu, sent by the Superintendent of Trade for the North, in a thorough inquiry into the affair; that perhaps the characters "I-sau-lo" were a wrong translation of Mr. Ritzel's name. (This remark is called out by the fact that our transliteration of the name is unlike that given to them. R.T.W.)

When the said Taot'ais shall have reported the facts in the case we shall write again to inform you; in the meantime we send this reply for Your Excellency's consideration.

We avail ourselves of the opportunity to wish you the compliments of the season.

Cards enclosed. Fourth Moon, 30th Day. (June 13th, 1904).

Enclosure No. 4 In Despatch No. 1644

Prince Ch'ing to Mr. Conger.

I have the honor to send Your Excellency the following communication in regard to the shooting of the American citizen Mr. Etzel. On the 13th day of June we informed Your Excellency that we had already told the Superintendent of Northern Trade to appoint some officials to make a thorough investigation of the whole case, as the records will show. On the 15th instant we received a telegram from the Superintendent of Northern Trade saying that Taot'ai Liu Yu-lin had made an investigation and found as follows:

"On the 6th day of June, P'an Tse, of the Sui Ching army corps, was detailed to take ten soldiers and three boats and go out from Erh Pa-kou to pursue pirates. They met a junk, and suspecting her of being a pirate, they opened fire and captured her, not knowing that there were any foreigners on board. The result was that an American newspaper correspondent, Etzel by name, was killed by mistake."

The Superintendent of Northern Trade says that these are all the facts in the case, and that they correspond with the findings of the American Consul in his investigation.

Upon the receipt of the above we telegraphed the officials of the place telling them to use strict measures for the apprehension of those concerned in the affair, and to punish them severely according to law. Besides this we write this letter for Your Excellency's information, and we avail ourselves of the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Fifth Moon, 4th Day, (June 17th, 1904.)

Enclosure No. 4 in Despatch No. 164.

Prince Ch'ing to Mr. Conger.

I have the honor to send Your Excellency the following communication in regard to the shooting of the American citizen Mr. Ktael. On the 13th day of June we informed Your Excellency that we had already told the Superintendent of Northern Trade to appoint some officials to make a thorough investigation of the whole case, as the records will show. On the 15th instant we received a telegram from the Superintendent of Northern Trade saying that Tsai'an Lin Ya-lin had made an investigation and found as follows:

"On the 6th day of June, P'an Tse, of the Sui Ching army corps, was detailed to take ten soldiers and three boats and go out from Erh Pa-kou to pursue pirates. They met a junk, and suspecting her of being a pirate, they opened fire and captured her, not knowing that there were any foreigners on board. The result was that an American newspaper correspondent, Ktael, by name, was killed by mistake."

The Superintendent of Northern Trade says that these are all the facts in the case, and that they correspond with the findings of the American Consul in his investigation.

Upon the receipt of the above we telegraphed the officials of the place telling them to use strict measures for the apprehension of those concerned in the affair, and to punish them severely according to law. Besides this we write this letter for Your Excellency's information, and we avail ourselves of the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Fifth Moon, 4th Day, (June 17th, 1904.)

Enclosure No. 5 In Despatch No. 1644

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 22nd, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' note of the 17th instant with regard to the shooting of Mr. Lewis L. Etzel, saying that you were in receipt of a telegram from the Superintendent of Trade for the North, communicating the report of the Taot'ai Liu on the case, to the effect that on June 6th Corporal P'anTse of the Sui Ching Army Corps, had been detailed to take ten soldiers and three boats and go out from Erh-pa-kou to pursue pirates; that they had met a junk which they suspected of being on a piratical expedition, and had opened fire and captured her, not knowing that there were any foreigners on board; that as a result of the attack the American newspaper correspondent, Etzel, had been killed.

Mr. H. B. Miller, the United States Consul General at Newchwang has also made a thorough investigation of the case and reports to me that Messrs. Etzel and Brindle had engaged a junk at Newchwang to take them for a sail along the coast of the Gulf of Pechihli; that on June 5th they took train to the Shuang-t'ai River expecting to meet the junk there, and the next morning went down to the mouth of the river where they found their junk awaiting them; that they then set sail, going in the direction of Kaichow, and about 6 P.M. when about ten miles from shore they were met by four junks containing Chinese soldiers; that Mr. Etzel's Laodah obeyed the orders of the soldiers to take in sail, and was afterwards directed by them to proceed, whereupon he set sail; and that all at once, without any warning they were fired upon by all the boats containing soldiers; that about one hundred shots were fired and that during

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Enclosure No. 3 in Despatch No. 164.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 22nd, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' note of the 17th instant with regard to the shooting of Mr. Lewis L. Ketzel, saying that you were in receipt of a telegram from the Superintendent of Trade for the North, communicating the report of the Taotai Lin on the case, to the effect that on June 6th Corporal P'anTae of the Sui Chung Army Corps, had been detailed to take ten soldiers and three boats and go out from Kin-pa-kou to pursue pirates; that they had met a junk which they suspected being on a piratical expedition, and had opened fire and captured her, not knowing that there were any foreigners on board; that as a result of the attack the American newspaper correspondent, Ketzel, had been killed.

Mr. H. B. Miller, the United States Consul General at Newchwang has also made a thorough investigation of the case and reports to me that Messrs. Ketzel and Brindle had engaged a junk at Newchwang to take them for a sail along the coast of the Gulf of Pechihli; that on June 5th they took trad n to the Shuang-t'ai River expecting to meet the junk there, and the next morning went down to the mouth of the river where they found their junk awaiting them; that they then set sail, going in the direction of Kaichow; and about 6 P.M. when about ten miles from shore they were met by four junks containing Chinese soldiers; that Mr. Ketzel obeyed the orders of the soldiers to take in sail, and was afterwards directed by them to proceed, whereupon he set sail; and that all at once, without any warning they were fired upon by all the boats containing soldiers; that about one hundred shots were fired and that during

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the firing the laodah had been wounded; that he went below to show his wound to Mr. Etzel, who attempted to get up on deck, and in doing so had been shot through the head, etc.

From both of these reports it is quite clear that Mr. Etzel's death was caused by the criminal carelessness of a party of Chinese soldiers under the charge of a Corporal, named P'an Tse, who was acting under the orders of Commandant Chu, commanding the troops in the vicinity of T'ien-chuang-t'ai. Mr. Etzel, with an Englishman named Brindle, both having proper passports, was sailing on the high sea, where he had a perfect right to be, when his boat was surrounded by four others, three of which at least were carrying Chinese soldiers, and without warning suddenly fired upon and Mr. Etzel was killed.

It is not charged that the soldiers knew that there were foreigners on the boat, but there was no reason in the world for the attack, and certainly the criminal carelessness which causes such wanton destruction of life deserves most exemplary punishment. The Consul reports that these soldiers are frequently sent out under the pretence of hunting pirates, and found to be attacking defenceless boats. The military official who continually permits his soldiers to do this is himself culpable and deserves suitable punishment. There are at present in the locality about Newchwang many foreigners who may have occasion to sail along the coast in that vicinity, and if an example is not made of those responsible for this crime, others are likely to be committed which may give rise to serious trouble. It is my duty, therefore, to ask that appropriately severe punishment may be inflictedupon Corporal P'an, Commandant Chu, and such others as may merit it.

Mr. Etzel leaves several relatives in the United States who have been dependent upon him for support, and it

is

From both of these reports it is quite clear that Mr. Ktzel's death was caused by the criminal carelessness of a party of Chinese soldiers under the charge of a Corporal, named P'an Tse, who was acting under the orders of Commandant Chu, commanding the troops in the vicinity of T'ien-chuang-t'ai. Mr. Ktzel, with an English named Brindle, both having proper passports, was sailing on the high sea, where he had a perfect right to be, when his boat was surrounded by four others, three of which at least were carrying Chinese soldiers, and without warning suddenly fired upon and Mr. Ktzel was killed.

It is not charged that the soldiers knew that there were foreigners on the boat, but there was no reason in the world for the attack, and certainly the criminal carelessness which causes such wanton destruction of life deserves most exemplary punishment. The Consul reports that these soldiers are frequently sent out under the pretence of hunting pirates, and found to be attacking defenceless boats. The military official who constantly permits his soldiers to do this is himself culpable and deserves suitable punishment. There are at present in the locality about Newchwang many foreigners who may have occasion to sail along the coast in that vicinity, and if an example is not made of those responsible for this crime, others are likely to be committed which may give rise to serious trouble. It is my duty, therefore, to ask that appropriately severe punishment may be inflictedupon Corporal P'an, Commandant Chu, and such others as may merit it.

Mr. Ktzel leaves several relatives in the United States who have been dependent upon him for support, and it is

is not improbable that pecuniary indemnity may be demanded, but upon this question I await definite instructions from my Government.

Knowing the constant desire of Your Imperial Highness for the preservation of peace and good order, and trusting in your uniform willingness to act fairly and justly, I confidently await information from Your Imperial Highness that the officers and soldiers responsible for Mr. Etzel's death have been promptly and adequately punished.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,
Envoy Extraordinary and
Minister Plenipotentiary
of the United States.

To His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

CRANES

File 72

DEP'T OF STATE
AUG
12
1904
ASSISTANT SECRETARY

DIPLOMATIC BUREAU
Give to Press:
Ack & file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

INDEX BUREAU
RECEIVED
AUG
12
1904
DEPT. OF STATE

DIPLOMATIC
AUG 13 1904
BUREAU.

No. 1646.

June 27, 1904.

Mr. Conger to the Secretary of State.

Ackd Aug. 15

CHIEF CLERK,
AUG 13 1904
Department of State.

Copy of letter sent to Rev. Arthur J. Brown, Sept. 8

INDEX BUREAU
AUG 15 1904
FILED

Subject:

Enclosing copy of Imperial Edict urging economy in official expenditures.

No. 1646.

June 27, 1904.

Mr. Conger to the Secretary of State.

Subject:

Inclosing copy of Imperial Edict urging economy in official expenditures.

No. 1645.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 27th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

As an interesting curiosity I transmit herewith a translation of an Imperial Edict urging economy in official expenditures, published in the Official gazette of the 21st instant, and have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Imperial Edict as above.

No. 1657.

June 27th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith a translation of an Imperial Edict urging economy in official expenditure, published in the Official Gazette of the 22nd instant, and have the honor to be, Sir,

Your obedient servant,

Enclosure:

Imperial Edict as above.

Enclosure No. In Despatch No. 1645

Imperial Edict. [Published in the Chinese Official Gazette of June 21, 1907.]

WE, the Emperor, have received and do now publish the following Imperial Edict from the Empress Dowager Tsi Hsi, etc., etc.

The affairs of the country are now in a very precarious state, and there are numerous matters that are waiting to be put in order; but our finances have become so depleted that it is very difficult to provide the necessary funds for the very important matter of drilling our troops. China's area and resources are both extensive, and it is to the people that the Government looks for all its needs. Depending as we do upon the industry of the people shall we not ever be mindful of them and have pity upon them? But the Imperial bounty never reaches the people for whom it was intended,-there is too great an obstruction between. The habit of those between US and you, to surfeit themselves and spend money extravagantly has become so strong and systematic that now there is no way in which it can be broken. The useless expenditures for these sinecures works a great injury to the whole country.

The Throne is the shepherd of the people and it is not that the whole people must support one man. We are sorely troubled to see that the people are smarting under the pain of their suffering each year. WE in the palace have used the greatest economy in regard to our expenditure and dress, always taking the lead in economy in order to be an example to others. WE always have in mind the wretched state of the resources and industries of the people and the difficulty of benefitting matters on account of the magnitude and extent of the evil. For this very reason especial efforts should be put forth at once to improve matters and get things running as they should, and in such matters the Imperial Household should take the first step.

From now on the Imperial Household will use only the

amount

Enclosure No. In Despatch No. 154.

Imperial Edict. [Published in the Chinese Official Gazette, 27th June 1901.]

WE, the Emperor, have received and do now publish the following Imperial Edict from the Empress Dowager Tai Hai, etc., etc.

The affairs of the country are now in a very precarious state, and there are numerous matters that are waiting to be put in order; but our finances have become so depleted that it is very difficult to provide the necessary funds for the very important matter of drilling our troops. China's area and resources are both extensive, and it is to the people that the Government looks for all its needs. Depending as we do upon the industry of the people shall we not even be mindful of them and have pity upon them? But the Imperial bounty never reaches the people for whom it was intended,-there is too great an obstruction between. The habit of those between US and you, to swerft themselves and spend money extravagantly has become so a strong and systematic that now there is no way in which it can be broken. The useless expenditures for these sinecures works a great injury to the whole country.

The Throne is the shepherd of the people and it is not that the whole people must support one man. We are sorely troubled to see that the people are smarting under the pain of their suffering each year. WE in the palace have used the greatest economy in regard to our expenditure and dress, always taking the lead in economy in order to be an example to others. WE always have in mind the wretched state of the resources and industries of the people and the difficulty of benefitting matters on account of the magnitude and extent of the evil. For this very reason especial efforts should be put forth at once to improve matters and get things running as they should, and in such matters the Imperial Household should take the first step.

From now on the Imperial Household will use only the amount

amount set aside for its expenses by the Department of the Imperial Household. It will not be allowed to draw upon the funds of the Board of Revenue, for these funds both regular and irregular are for the governmental use and must be used sparingly; the Board of Revenue moreover must use great care in appropriating funds for any works that may come up for them to deal with.

As to the matter of the officials in the Department of the Imperial Household being too many in number, and the manner in which their number should be reduced, let the Board of Governmental affairs consult with the Department of of the Imperial Household, and having decided upon a satisfactory way of dealing with the matter, let themmemorialize the Throne. Moreover let all the Yamens, both in the Capital and in the provinces, take measures similar to these. Let our Princes and Ministers set aside all feelings of social friendship and in every possible manner strive to keep their expenses within reasonable limits; let them rid themselves of all officials holding sinicures under them, that their savings may increase. Thus will they one and all fulfill the ardent wishes of the Throne in this important matter.

Respect this.

amount set aside for its expenses by the Department of the Imperial Household. It will not be allowed to draw upon the funds of the Board of Revenue, for these funds both regular and irregular are for the governmental use and must be used sparingly; the Board of Revenue moreover must use great care in appropriating funds for any works that may come up for them to deal with.

As to the matter of the officials in the Department of the Imperial Household being too many in number, and the manner in which their number should be reduced, let the Board of Governmental affairs consult with the Department of the Imperial Household, and having decided upon a satisfactory way of dealing with the matter, let themmemorialize the Throne. Moreover let all the Yamens, both in the Capital and in the provinces, take measures similar to these. Let our Princes and Ministers set aside all feelings of social friendship and in every possible manner strive to keep their expenses within reasonable limits; let them rid themselves of all officials holding sinecures under them, that their savings may increase. Thus will they one and all fulfill the ardent wishes of the Throne in this important matter.

Respect this.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

INDEXED & FILED
AUG 12
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DIPLOMATIC
AUG 12 1904
BUREAU.

No. 1646.

June 30, 1904

Mr. Conger to the Secretary of State.

Subject:

Eighth International Geographic Congress, invitation transmitted to Chinese Government, Chinese Minister at Washington instructed as to.

INDEX BUREAU
AUG 15 1904
FILED

No. 1644.

June 30, 1904

Mr. Conger to the Secretary of State.

Subject:

Eighth International Geographic Congress, invitation transmitted to Chinese Government, Chinese Minister at Washington instructed as to.

No. 1646.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

June 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction of May 11 inviting the Government of China to be represented at the Eighth International Geographic Congress to be held in the City of Washington on September 8, 1904.

The invitation has been transmitted as directed and the usual reply has been received that the Chinese Minister in Washington would be directed to give his attention to the matter.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1666.

June 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction of May 11 inviting the Government of China to be represented at the Eighth International Geographic Congress to be held in the City of Washington on September 8, 1904.

The invitation has been transmitted as directed and the usual reply has been received that the Chinese Minister in Washington would be directed to give his attention to the matter.

I have the honor to be, Sir,

Your obedient servant,

C. Wheeler.

Secretary of State.
JUL 2 1904

TELEGRAM RECEIVED IN CIPHER.

From PEKING. July 3, 1904.

Received July 2, 1904, 4:01 a.m.

DIPLOMATIC
JUL 1904
BUREAU.

Secretary of State,

Washington.

Third. Post Office Department order May 18th. Strongly urge all mail for New Chwang be sent via China.

CONGER.

INDEX BUREAU
JUL 6 1904
FILED

...ered by the Chief Clerk's Office, July 2, 1904, 9:35 a.m.

TELEGRAM RECEIVED IN CIPHER.

FROM: Peking, May 3, 1904.

Received May 3, 1904, 4:01 P.M.

Secretary of State.

Washington.

Legation. Post office department order May 12th. Accordingly no mail will for Mow Chwang be sent via China.

POWERS.

Sent by the Chief Clerk's Office, July 7, 1904. 9:25 A.M.

TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY, JUL 1904 8 1904 BUREAU.

DEP'T OF STATE JUL 5 1904 2ND ASST SECRETARY

From PEKING,

Received July 5, 1904. 1:42 a.m.

FOR RELS. 1904.

Secretary of State,

Washington.

Fifth. Chinese Government proposes to punish Corporal in charge of soldiers who killed Etzel with five years imprisonment, cashier district commander and give family twenty-five thousand Mexican dollars. I recommend acceptance.

Please instruct.

CONGER.

INDEX BUREAU JUL 12 1904 FILED

...red by the Chief Clerk's Office, July 5, 1904, 10:00 a.m.

TELEGRAM RECEIVED IN CIPHER.

PEKING.

Received July 2, 1904, 4:01 p.m.

TELEGRAM RECEIVED IN CIPHER.

PEKING.

Received July 5, 1904, 7:40 a.m.

Secretary of State,

Washington.

tion. Chinese Government proposes to punish conjoint in-

cache of soldiers who killed Great Wall five years ago-

ment, twelve dollars one hundred and five Mexican dol-

lars thousand Mexican dollars. I recommend acceptance.

Rockhill.

COMPARED.

The Chief Clerk's Office. July 5, 1904. 10:30 a.m.

No. 1647.

DEPT OF STATE AUG 19 1904 ASSISTANT SECRETARY

DIPLOMATIC BUREAU

Ack. This has been acknowledged by Telegraph. aag 5

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

INDEX BUREAU RECD. AUG 19 1904 DEPT. OF STATE

July 6th, 1904.

Ans Aug 23

Mr. Conger to the
Secretary of State.

DIPLOMATIC BUREAU AUG 20 1904

CHIEF CLERK. AUG 19 1904 Department of State.

FOR RELS. 1904.

Subject: The killing of Lewis L. Etzel. Continuing No. 1644 of June 25. Offer of the Chinese Government and reasons for accepting it. Correspondence with the executors.

Confirming Legation telegram of July 5.

INDEX BUREAU Aug 24 1904 FILED

No. 1847.

July 8th, 1904.

No. Cooper to the

Secretary of State.

Subject: The Killing of Lewis I. Ritsel. Containing No. 1644 of June 25. Offer of the Chinese government and reasons for accepting it. Correspondence with the executors.

Confirming Legation telegram of July 8.

No. 1647.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 6th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1644, I have the honor to enclose copies of further correspondence with the Foreign Office, and to confirm my telegram of the 5th instant, as follows:

Secstate, Washington.

Fifth. Chinese Government proposes to punish Corporal in charge of soldiers who killed Etzel with five years imprisonment, cashier District Commander, and give family twenty-five thousand Mexican dollars. I recommend acceptance. Please instruct.

(Signed) Conger.

As you have already seen from Mr. Miller's report, the soldiers did not know that there were any foreigners on the boat; hence the killing of Mr. Etzel was neither premeditated nor intentional, and the soldiers were, at most, only guilty of criminal carelessness.

The Chinese Government has no general prisons with provisions for labor, or any sort of humane treatment, and anything beyond a five years term is practically a death sentence. It seems to me, therefore, that a sentence of five years imprisonment for the Corporal who was in charge of the men and commanded them to fire, and cashiering the Commandant of the District who is responsible for the discipline which made the commission of such a crime possible, is all the punishment that can reasonably be demanded.

As to the indemnity, I am of the opinion that, considering all the circumstances, twenty-five thousand dollars

No. 1644.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN CHINA

July 4th, 1906.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1644, I have the honor to enclose copies of further correspondence with the Foreign Office, and to confirm my telegram of the 8th instant, as follows:

Cosstate, Washington.

Fifth. Chinese Government proposes to punish Corporal in charge of soldiers who killed Steel with five years imprisonment, cashier District Commander, and give family twenty-five thousand Mexican dollars. I recommend acceptance. Please instruct.

(Signed) Conger.

As you have already seen from Mr. Miller's report, the soldiers did not know that there were any foreigners on the boat; hence the killing of Mr. Steel was neither premeditated nor intentional, and the soldiers were, at most, only guilty of criminal carelessness.

The Chinese Government has no general prisons with provisions for labor, or any sort of humane treatment, and anything beyond a five years term is practically a death sentence. It seems to me, therefore, that a sentence of five years imprisonment for the Corporal who was in charge of the men and commanded them to fire, and cashiering the Commandant of the District who is responsible for the discipline which made the commission of such a crime possible, is all the punishment that can reasonably be demanded.

As to the indemnity, I am of the opinion that, considering all the circumstances, twenty-five thousand dollars

lars Mexican, voluntarily offerred to the family of the deceased by the Chinese Government, in a spirit of friendliness, is a reasonable sum; hence my recommendation that the punishment and indemnity may be accepted in full settlement of the case.

On the 2nd instant I received from the executors of Mr. Etzel's estate a request that I demand of the Chinese Government sixty thousand dollars gold as indemnity. I declined to present this claim because of its extreme unreasonableness, and to-day have notified them of the recommendation in my telegram confirmed above. I enclose copies of the executors' letter and of my reply.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Executors of Estate of L. L. Etzel to Mr. Conger, June 30th, 1904.
2. Mr. Conger to executors of Estate of L. L. Etzel, July 6th, 1904.

lars Mexican, voluntarily offered to the family of the deceased by the Chinese Government, in a spirit of friendliness, is a reasonable sum; hence my recommendation that the punishment and indemnity may be accepted in full settlement of the case.

On the 22nd instant I received from the executors of Mr. Kinsel's estate a request that I demand of the Chinese Government sixty thousand dollars gold as indemnity. I declined to present this claim because of its extreme unreasonableness, and to-day have notified them of the recommendation in my telegram confirmed above. I enclose copies of the executors' letter and of my reply.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1.Executors of Estate of L. L. Kinsel to Mr. Conger,
June 20th, 1904.

2.Mr. Conger to executors of Estate of L. L. Kinsel,
July 6th, 1904.

Enclosure No./ In Despatch No.1647.

Executors of Estate of Lewis L. Etzel, deceased,

to Mr. Conger.

Tientsin, June 30th, 1904.

His Excellency, E. H. Conger,

U.S.A. Minister to China,

Peking.

Your Excellency:

We as Executors have duly attested at the U.S.A. Consul-General at Tientsin for the late Mr. L.L.Etzel, an American Subject, who was recently killed on the high seas of Newchwang in circumstances known to you, desire to ask Your Excellency's powerful offices in putting before the Chinese Government a claim on behalf of Mr. Etzel's Estate for compensation for his death. We should mention that Mr. Etzel had dependent upon him, an aged Mother and two Sisters, who are now deprived of this source of income through the unlawful act of Chinese Soldiers in Government employment. We respectfully submit that his family are, in justice, entitled to be indemnified.

We respectfully venture to suggest that a sufficient sum(capitalized at 5%, five per cent)be claimed to bring in a monthly allowance of Gold Dollars from 275.00 to 300.00 which would be roughly Gold Dollars 60,000.00.

We trust Your Excellency will feel disposed to present this claim to the proper Authorities. Thanking you in anticipation.

We are, Your Excellency's
Obedient Servants,

(Signed) A. H. Jaques & W. Blanchard.

Executors Estate L. L. Etzel, deceased(Tientsin).

Enclosure No.\ In Despatch No.164.

Executors of Estate of Lewis L. Ktzel, deceased,

to Mr. Conger.

Tientsin, June 30th, 1904.

His Excellency, E. H. Conger,

U.S.A. Minister to China,

Peking.

Your Excellency:

We as Executors have duly attested at the U.S.A. Consul-General at Tientsin for the late Mr. L.L.Ktzel, an American Subject, who was recently killed on the high seas of Newchwang in circumstances known to you, desire to ask Your Excellency's powerful offices in putting before the Chinese Government a claim on behalf of Mr. Ktzel's Estate for compensation for his death. We should mention that Mr. Ktzel had dependent upon him, an aged Mother and two Sisters, who are now deprived of this source of income through the unlawful act of Chinese Soldiers in Government employment. We respectfully submit that his family are, in justice, entitled to be indemnified.

We respectfully venture to suggest that a sufficient sum(capitalized at 5%, five per cent)be claimed to bring in a monthly allowance of Gold Dollars from 275.00 to 300.00 which would be roughly Gold Dollars 60,000.00.

We trust Your Excellency will feel disposed to present this claim to the proper Authorities. Thanking you in anticipation.

We are, Your Excellency's
Obedient Servants,

(Signed) A. H. Jagues & W. Blanchard.

Executors Estate L. L. Ktzel, deceased(Tientsin).

Enclosure No. 2 In Despatch No. 1647

Mr. Conger to Executors of Estate of L. L. Etzel.

Legation of the United States of America,

Peking, July 6th, 1904.

Messrs. A. H. Jaques,

and W. D. Blanchard,

Executors Estate of L. L. Etzel,

Tientsin.

Gentlemen:

I have received your communication of June 30th requesting me to present a claim against the Chinese Government for an indemnity of $60,000.00 gold to be paid to the estate of L. L. Etzel.

I regret to say that in my judgment the amount you request is so exhorbitant that I am unwilling to file it without direct instructions from my Government, to which, however, I will at once present it.

I ought, however, to inform you that the Chinese Government has already offerred to pay to the family of the said Etzel, $25,000.00 Mexican. I have telegraphed this proposition to the Department of State at Washington, and asked instructions thereon.

Very respectfully yours,

(Signed) E. H. Conger.

Enclosure No.2 In Despatch No. 464

Mr. Conger to Executors of Estate of L. L. Ketzel.

Legation of the United States of America,

Peking, July 6th, 1904.

Messrs. A. H. Tague,

and W. D. Blanchard,

Executors Estate of L. L. Ketzel,

Tientsin.

Gentlemen:

I have received your communication of June 30th requesting me to present a claim against the Chinese Government for an indemnity of $50,000.00 gold to be paid to the estate of L. L. Ketzel.

I regret to say that in my judgment the amount you request is so exorbitant that I am unwilling to file it without direct instructions from my Government, to which, however, I will at once present it.

I ought, however, to inform you that the Chinese Government has already offered to pay to the family of the said Ketzel, $25,000.00 Mexican. I have telegraphed this proposition to the Department of State at Washington, and asked instructions thereon.

Very respectfully yours,

(Signed) E. H. Conger.

No. 1648.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED. AUG 19 1904 BUR. ACCOUNTS. DEP. OF STATE.

INDEX BUREAU RECD. AUG 19 1904 DEPT. OF STATE

July 6th, 1904.

PASSPORT BUR. SEP 22 1904

Noted in Applications Filed in.

Mr. Conger to the

Secretary of State.

Subject: Passports. Transmitting applications April-June. Answering Department Instruction No. 800 of May 21st about a mistake in numbering.

No. 1648.

LEGATION OF THE UNITED STATES OF AMERICA
PEKING, CHINA

July 6th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Passports. Transmitting application April-June.

Answering Department Instruction No. 800 of May

21st about a mistake in numbering.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1648. July 6, 1904

To the Honorable,
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Replying to the inquiry in Department Instm ction No. 800, dated May 21, last, whether any passports numbered 726 to 765, inclusive, were issued at this Legation, during the quarter ending March 31, 1904, I have the honor to state that owing to a clerical error, not discovered until after a number of passports had been issued, no passports were issued under these numbers.

The application of Conant Sawyer Buttrick as well as those of A. Livingston Warnshuis and Downe Cornelius Ruigh, belonging in the Quarter ending March 31, but which had to be returned to applicant for correction are forwarded herewith, together with the applications for the quarter last past.

I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

Enclosure, Passport Applications as stated.

No. 1644 July 6, 1904

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Replying to the inquiry in Department Instruction No. 800, dated May 21, last, whether any passports numbered 725 to 765, inclusive, were issued at this Legation, during the quarter ending March 31, 1904, I have the honor to state that owing to a clerical error, not discovered until after a number of passports had been issued, no passports were issued under these numbers.

The application of Conant Sawyer Hutchison as well as those of A. Livingston Warmbold and Corrie Cornelius Hulst, delayed in the Quarter ending March 31, but which had to be returned to applicant for correction are forwarded herewith, together with the applications for the quarter last past.

I have the honor to be, Sir,

Your obedient servant,

Chas. Denby

Enclosure, Passport Applications as stated.

No. 1649.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Plan for the Government of the Legation Quarter.
Referring to Legation No. 1187 of January 16.

No. 1849.

July 7th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Plan for the Government of the Legation Quarter.

Referring to Legation No. 1187 of January

14.

No. 1649.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1187, of January 16th, 1903, I have the honor to report that after another year's effort the Representatives of the Foreign Powers in Peking have finally agreed to join in a sort of municipal organization for the Legation Quarter. I enclose a copy of the protocol signed by the Representatives of the Powers signatory of the Final Protocol, by which this agreement was made. A carefully prepared map of the Quarter was also signed on the same day, and as soon as it can be printed a copy will be transmitted to the Department.

A Commission comprised of the German, Belgian, and Netherlands Ministers was appointed to draw up the necessary regulations for the government of the Quarter. I enclose a copy and translation of the regulations which they prepared, and which have now been approved by practically all the Representatives, and ask your approval by telegraph. The regulations are, with a very few changes, those transmitted in my No. 1187.

We find it almost impossible to secure unanimous agreement of the Ministers upon anything at any time. It was, therefore, very important that as little change as possible should be made in the regulations previously discussed, and which have for some time been in practical operation in that portion of the Legation Quarter lying on the East side of the canal, in order to secure the adoption of any regulations whatever.

Since

No. 1447.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1187, of January 16th, 1903, I have the honor to report that after another year's effort the Representatives of the Foreign Powers in Peking have finally agreed to join in a sort of municipal organization for the Legation Quarter. I enclose a copy of the protocol signed by the Representatives of the Powers signatory of the Final Protocol, by which this agreement was made. A carefully prepared map of the Quarter was also signed on the same day, and as soon as it can be printed a copy will be transmitted to the Department.

A Commission comprised of the German, Belgian, and Netherlands Minister was appointed to draw up the necessary regulations for the government of the Quarter. I enclose a copy and translation of the regulations which they prepared, and which have now been approved by practically all the Representatives, and ask your approval by telegraph. The regulations are, with a very few changes, those transmitted in my No. 1187.

We find it almost impossible to secure unanimous agreement of the Ministers upon anything at any time. It was, therefore, very important that as little change as possible should be made in the regulations previously discussed, and which have for some time been in practical operation in that portion of the Legation Quarter lying on the West side of the canal, in order to secure the adoption of any regulations whatever.

Since

Since the Government is to be administered practically by the members of the Diplomatic Corps, who are very sensitive and like to do things on their honor, it was found to be impossible to adopt any more rigid methods of enforcement. Besides, the decisions of the Commission are only to be carried out after acceptance by the Representatives of the Powers.

Your suggestion as to revision has been met by Article XV, which provides that after two years they may be revised.

As to the question of the larger property owners having more than one vote, this applies only to property owners outside of the Diplomatic Corps. There are very few of them; viz, the Customs, Banks, Peking-Hankow Railway Officers, a couple of merchants, and a few other individuals.

The Customs people are quite a colony, occupying a good deal of property owned by the Chinese Government, but which will all be represented by Sir Robert Hart, or his successor; and it was particularly to give him and the large Banks more authority in the selection of the two members of the Commission outside the Diplomatic Corps, than should be given to a Eurasian interpreter or other person who happened to own a small residence inside the Legation Quarter. I know this is against the spirit of our Democratic institutions, but it is the custom elsewhere, and is the rule which has been satisfactorily followed in the foreign settlements in Shanghai, Tientsin, etc.

For the sake of harmony, and in order to secure some sort of a Government which is so sadly needed, and as the regulations are only tentative, I earnestly recommend

their

Since the Government is to be administered practically by the members of the Diplomatic Corps, who are very energetic and like to do things on their honor, it was found to be impossible to adopt any more rigid methods of government. Besides the relations of the Commission are only to be carried out after acceptance by the Representatives of the Powers.

Your suggestion as to revision has been met by Article IV, which provides that after two years they may be revised.

As to the question of the Labour property owners having more than one vote, this applies only to property owners outside of the Diplomatic Corps. There are very few of them; viz, the Customs, Banks, Railway-Harbour Railway Officers, a couple of merchants, and a few other individuals.

The Chinese people are quite a colony, occupying a good deal of property owned by the Chinese Government, but which will all be represented by Sir Robert Hart, or his successor, and it was particularly to give him and the large Bank more authority in the selection of the two members of the Commission outside the Diplomatic Corps, than should be given to a Peruvian interpreter or other person who happened to own a small residence inside the Legation Quarter. I know this is against the spirit of our Democratic institutions, but it is the custom elsewhere, and is the rule which has been satisfactorily followed in the Foreign settlements in Shanghai, Tientsin, etc.

For the sake of harmony, and in order to secure some sort of a Government which is so much needed, and as the regulations are only tentative, I earnestly recommend that

their adoption as enclosed, and will thank you to telegraph instructions on receipt of this.

I have the honor to be, Sir,

Your obedient servant,

E. A. Conger

Enclosure:

Copy of Regulations as above.

FILE-S. Y. S.

Projet de Règlement
pour le quartier diplomatique à Pékin.

----ooOoo----

Article I.

Par l'Article VII du Protocole Final le quartier actuellement occupé par les Légations des Puissances signataires du Protocole Final et par la Légation de Corée est spécialement réservé à leur usage et placé sous leur pólice exclusive.

Les Chinois n'ont pas le droit d'y résider.

Article II.

Les limites extérieures du quartier diplomatique sont celles, qui ont été définies par le même article du Protocole Final.

Article III.

Les Représentants des Puissances signataires du Protocole Final, après s'être concertés, ont signé le 13 Juin 1904 le protocole ci annexé relatif au quartier diplomatique et un plan cadastral de ce quartier.

Article IV.

Une commission d'administration du quartier diplomatique est déléguée pour pourvoir aux besoins de l'admininstration, de la police et de la voirie.

Article V.

Cette Commission se compose:

1. de 4 Représentants des Légations des Puissances signataires du protocole final et de la Corée, nommés par les chefs de Mission des dites Puissances.

2. de 2 Représentants des habitants du Quartier nommés par voie d'election, à l'exception des diplomates et militaires.

Cette commission est nommée pour un an; chacun de ses membres est rééligible.

Projet de Règlement

pour le quartier diplomatique à Pékin.

---oooOooo---

Article I.

Par l'Article VII du Protocole Final le quartier actuellement occupé par les Légations des Puissances signataires du Protocole Final et par la Légation de Corée est spécialement réservé à leur usage et place sous leur police exclusive.

Les Chinois n'ont pas le droit d'y résider.

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Les limites extérieures du quartier diplomatique sont celles, qui ont été définies par le même article du Protocole Final.

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Les Représentants des Puissances signataires du Protocole Final, après s'être concertés, ont signé le 13 Juin 1904 le protocole ci annexé relatif au quartier diplomatique et un plan cadastral de ce quartier.

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Cette commission est nommée pour un an; chacun de ses membres est rééligible.

Si par suite de décès, de démission ou de départ, un de ces membres vient à manquer il sera immédiatement procédé à son remplacement soit par les Representants des Puissances signataires du protocole final et de la Corée, soit par les Électeurs.

Article VI.

Tout propriétaire est électeur et éligible à partir de l'âge de 21 ans. Il peut être représenté par un délégué dans les deux qualités.

Le contribuable payant 25 Dollars de contribution aura le droit d'exprimer un vote supplémentaire; le contribuable payant 50 Dollars aura le droit d'exprimer deux votes supplémentaires.

Les Électeurs ne pourront exercer leur droit de voter ou d'être élus que s'ils ont acquitté leurs taxes.

Article. VII

Chaque Année au mois d'octobre la Commission d'administration dresse la liste électorale, la révise et convoque les Électeurs pour les premiers jours du mois de novembre.

Article VIII.

L'élection a lieu au scrutin secret sous la Présidence du Président sortant. Tout électeur est éligible.

Le vote est personnel; toutefois le fondé de pouvoirs ou le Représentant d'un électeur absent pourra voter pour celui-ci s'il est muni d'une procuration. Les Représentants des Puissances signataires du protocole final et de la Corée désignent le jour même de cette élection leurs Représentants à la Commission. Ces Représentants sont élus à la majorité des voix. En cas de partage la voix du Doyen est prépondérante.

Article IX.

Le lendemain de sa constitution, la Commission élit son Président qui devra être choisi parmi les Représentants dip-

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Le lendemain de sa constitution, la Commission élit son Président qui devra être choisi parmi les Représentants dip-

lomatique; ainsi qu'un Secrétaire et un Trésorier. Elle aura à proposer sans retard un projet de budget pour les dépenses et recettes de l'année suivante qui sera soumis à la réunion des Représentants des Puissances signataires du protocole final et de la Corée. L'année budgétaire court du 1 Janvier au 31 décembre.

Article X.

Le Commission se réunit de droit au commencement de chaque trimestre, de plus, elle se réunit chaque fois que le Président la convoque ou qu'un de ses membres en fait la demande par écrit. En outre chaque Représentant d'une des Puissances signataires du protocole final et de la Corée a le droit de demander au President de convoquer la Commission.

Quatre membres, au moins, doivent être présents pour que la Commission puisse délibérer valablement.

Les décisions sont prises à la majorité des voix, sauf en matières de dépenses extra budgétaires où l'unanimité est nécessaire. En cas de partage, la voix du Président est prepondérante.

Après chaque séance, le registre des délibérations est soumis aux représentants des puissances signataires du protocole final et de la Corée.

Article XI.

La Commission d'Administration délibère sur les objets suivants: 1.- Budget des recettes et dépenses du quartier diplomatique; 2.- Tarif de perception et revenus; 3.- Repartition des taxes et leur mode de recouvrement; 4.- Demande en décharge ou reduction d'impôt: 5.- Ouverture des rues, travaux et projets de travaux d'assainissement et de viabilité; 6.- Concession pour éclairage et la distribution des eaux; 7.- Règlement de voirie et de salubrité; 8.- Tous les autres objets concernant les interêts du quartier sur lesquels les Représentants des Puissances signataires du Proto-

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Article XI.

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cole Final et de la Corée l'invitent a délibérer. Ses décisions ne sont exécutoires que si elles sont acceptées par les Représentants des dites Puissances.

Article XII.

Le principal des ressources pour l'entretien du quartier diplomatique sera tiré d'une taxe foncière, proportionelle à la surface des terrains occupés par les divers propriétaires.

En outre il est loisible à la commission d'Administration après avoir obtenu l'autorisation des Représentants des Puissances signataires du Protocole Finale et de la Corée de se créer d'autres sources de revenu.

Article XIII.

La Commission est chargée de la police internationale du quartier.

Elle est chargée des services administratifs concernant la voirie l'écoulement des eaux, l'éclairage des rues, l'exécution des travaux d'utilité publique, la perception des taxes.

Elle peut proposer des règlements de police et de voirie qui seront soumis à l'approbation des Représentants des Puissances signataires du protocole final et de la Corée.

Elle notifie les contraventions qui s'y rapportent aux autorités compétentes.

Elle nomme à tous les emplois qui rentrent dans ces divers services, suspend ou révoque les titulaires de ces emplois.

Article XIV.

Les membres de la Commission ne pourront être rendus responsables sur leurs biens propres des décisions prises par la Commission dont ils font partie.

Article XV.

Le présent Réglement avec les règlements qui y sont annexés entrera en vigueur dès qu'ils aura été approuvés par les Représentants des Puissances signataires du Protocole final et de la Corée. Il peut être revisé dans un delai de deux ans à partir de sa mise en vigueur.

Représentants des Puissances signataires du Protocole final et de la Corée. Il peut être revisé dans un délai de deux ans à partir de sa mise en vigueur.

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Article XIV.

Elle nomme à tous les emplois qui rentrent dans ces différents services, suspend ou révoque les titulaires de ces emplois.

Elle notifie les contraventions qui s'y rapportent aux autorités compétentes.

Elle donne son approbation des Représentants des Puissances signataires du protocole final et de la Corée.

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Le principal des ressources pour l'entretien du quartier

Article XII.

Représentants des différentes Puissances.

tions ne sont exécutoires que si elles sont acceptées par les

cole final et de la Corée l'invitent à délibérer. Ses déci-

Annexe I

PROJET DE PROTOCOLE.

Les soussignés, Représentants des Puissances signataires du Protocole final du 7 septembre, 1901,

vu l'article VII du dit Protocole, par lequel le Gouvernment chinois a accepté que le quartier occupé par les Légations fût considéré comme un quartier spécialement réservé à leur usage, placé sous leur police exclusive, où les Chinois n'auraient pas le droit de résider et qui pourrait être mis en état de défense,

vu le plan fixant les limites de ce quartier conformément au Protocole

ont convenu ce qui suit:

1. Il est reconnu à chaque Légation ainsi qu'à la Douane Maritime Impériale, à chaque société étrangère et à chaque particulier, la possession du terrain indiqué par son nom y inscrit sur le plan cadastral dressé a cet effet et annexe au présent Protocole.

2. Tout le terrain compris entre les limites du Quartier et les murs de defense marqués sur le plan, terrain qui est reservé comme glacis pour la défense du Quartier, ainsi les routes, trottoirs, canaux, ponts, égouts, arbres et constructions quelconques, sont reconnus appartenir au quartier Diplomatique à titre de possession commune.

3. Sont exceptés les terrains situés sur le glacis qui sont reconnus avoir appartenir à des particuliers avant le 20 Juin 1900, date de l'investissement des Légations, et qui sont également indiqués sur le plan. Ces terrains demeurant la propriété de leurs anciens

propriétaires

Annexe I

PROTOCOLE.

Les soussignés, Représentants des Puissances signataires du Protocole final du 7 septembre, 1901, vu l'article VII du dit Protocole, par lequel le Gouvernement chinois a accepté que le quartier occupé par les Légations fût considéré comme un quartier spécialement réservé à leur usage, place sous leur police exclusive, où les Chinois n'auraient pas le droit de résider et qui pourrait être mis en état de défense,

vu le plan fixant les limites de ce quartier conformément au Protocole

ont convenu ce qui suit:

1. Il est reconnu à chaque Légation ainsi qu'à la Douane Maritime Impériale, à chaque société étrangère et à chaque particulier, la possession du terrain individuel par son nom y inscrit sur le plan cadastral dressé à cet effet et annexé au présent Protocole.

2. Tout le terrain compris entre les limites du quartier et les murs de défense marqués sur le plan, terrain qui est réservé comme glacis pour la défense du quartier, ainsi les routes, trottoirs, canaux, ponts, égouts, arbres et constructions quelconques, sont reconnus appartenir au quartier Diplomatique à titre de possession commune.

3. Sont exceptés les terrains situés sur le glacis qui sont reconnus avoir appartenir à des particuliers avant le 20 Juin 1900, date de l'investissement des Légations, et qui sont également indiqués sur le plan.

Ces terrains demeurent la propriété de leurs anciens propriétaires

propriétaires ou des ayant droits de ceux-ci. Pour éviter tout malentendu la liste de ces terrains est fixé ci-apres:

Sur le glacis en face de la Légation d'allemagne, le terrain de la Banque Russo-Chinoise et le terrain de la Légation d'allemagne qui appartenait autrefois à M. Coltman.

Sur le glacis en face de la Legation de France, le terrain appartenant à la Société missionaire de l'Eglise Methodiste épiscopale.

Sur le glacis en face de la Légation d'Austriche-Hongroie, le terrain de M. Splingard.

4. Aucune construction, permanente ou provisoire, à l'exception de celles auctuellement existantes, ne pourra être faite sur quelque partie que ce soit du glacis sans l'assentiment unanime des répresentants des Puissances signataires du Protocole final du 7 Septembre 1901.

5. Le glacis étant reconnu propriété commune, chaque Légation reste provisoirement chargé du contrôle de la partie dont elle assume actuellement la défense, et les commandants des gardes seront invités à se concerter entre eux pour toute question rélative à son utilisation militaire.

6. Les Légations, le Douane Maritime Impériale, les sociétés et particuliers ne pourront commettre aucune empiètement sur le glacis, les routes, trottoirs, ponts ou canaux tels quels sont indiqués sur le plan cadastral.

7. Les Représentants des Puissances signataires du Protocole final du 7 Septembre 1901 s'engagent a pro-

céder sans

propriétaires ou des ayant droits de ceux-ci. Pour éviter tout malentendu la liste de ces terrains est fixé ci-après:

Sur le glacis en face de la Légation d'allemagne, le terrain de la Banque Russo-Chinoise et le terrain de la Légation d'allemagne qui appartenait autrefois à M. Coltman.

Sur le glacis en face de la Légation de France, le terrain appartenant à la Société missionaire de l'Eglise Methodiste épiscopale.

Sur le glacis en face de la Légation d'Autriche-Hongrois, le terrain de M. Splingard.

4. Aucune construction, permanente ou provisoire, à l'exception de celles actuellement existantes, ne pourra être faite sur quelque partie que ce soit du glacis sans l'assentiment unanime des représentants des Puissances signataires du Protocole final du 7 Septembre 1901.

5. Le glacis, reconnu propriété commune, chaque Légation restant provisoirement chargé du contrôle de la partie dont elle assume actuellement la défense, et les commandants des gardes seront invités à se concerter entre eux pour toute question relative à son utilisation militaire.

6. Les Légations, le Douane Maritime Impériale, les sociétés et particuliers ne pourront commettre aucune emplétement sur le glacis, les routes, trottoirs, ponts ou canaux tels quels sont indiqués sur le plan cadastral.

7. Les Représentants des Puissances signataires du Protocole final du 7 Septembre 1901 s'engagent à procéder sans

céder sans délai à la redaction d'un projet de Réglement général de police et de voierie, et à le soummetre à l'approbation de leurs Gouvernements respectifs. De même, ils prendront les mesures qu'ils jugeront utiles afin d'obtenir l'autorité nécessaire pour appliquer à leur ressortissants le dit règlement et leur faire payer les taxes destinées à assurer les services de la police et de la voierie.

8. La Légation de Corée ayant été substituée à un citoyen des Etats Unis comme propriétaire du terrain actuellement occupé par elle est regardé comme succédant seulement aux droits de celui-ci, mais par courtesie elle sera invitée à prendre part, au nom de son Gouvernement à la redaction du règlement general.

9. Les travaux déja exécutés aux frais de quelques-unes des Légations pour le retablissement des routs, trottoirs, canaux, ponts ou pour tout autre travail d'ordre publique ne donnent droit à aucune retribution de la part de la cummunauté.

10. Ce Protocole avec le plan annexé sera imprimé à raison de trois exemplaires pour chaque Légation.

Fait à Pékin le 13 du mois de juin 1904.

cèder sans délai à la rédaction d'un projet de Règlement général de police et de voirie, et à la soumettre à l'approbation de leurs Gouvernements respectifs. De même, ils prendront les mesures qu'ils jugeront utiles afin d'obtenir l'autorité nécessaire pour appliquer à leur ressortissants le dit règlement et leur faire payer les taxes destinées à assurer les services de la police et de la voirie.

8. La Légation de Corée ayant été aubstituée à un citoyen des Etats Unis comme propriétaire du terrain actuellement occupé par elle est regardé comme aucédant seulement aux droits de celui-ci, mais par courtesie elle sera invitée à prendre part, au nom de son Gouvernement à la rédaction du réglement general.

9. Les travaux déjà exécutés aux frais de quelques des Légations pour le rétablissement des route, trottoire, canaux, ponts ou pour tout autre travail d'ordre publique de donnent droit à aucune retribution de la part de la communauté.

10. Ce Protocole avec le plan annexé sera imprimé à raison de trois exemplaires pour chaque Legation.

Fait à Pékin le 13 du mois de [illegible] 1901.

~~de la Corée. Il peut être révisé dans un délai de deux ans à partir de sa mise en vigueur.~~

Annexe I

Règlement de police et de voirie.

Article I.

Tout acte contraire à l'ordre et aux bonnes moeurs et présentant quelque danger pour la securité publique est interdit sur la voie publique. Il est expressément défendu d'y tirer des feux d'artifice et des pétards.

Article II.

Sont et demeurent prohibés dans le quartier diplomatique: les maisons de jeu, les fumeries d'opium, les maisons publiques et les débits de boisson autres que les cantines situées a l'intérieur des casernes. La fermeture immédiate d'établissements de ce genre sera prononcée, le cas échéant, par la Commission d'Administration, sans que les tenanciers puissent jamais avoir droit à une indemnité d'aucun genre. Les autorités compétentes devront assurer l'exécution des décisions de la Commission.

Article III.

La mendicité est interdite dans le quartier diplomatique.

Article IV.

Il est interdit aux chinois de passer sur la partie de la muraille réservée par le protocole pour la défense des Legations

~~de la Corée. Il peut être relevé dans un délai de deux ans~~
~~à partir de sa mise en vigueur.~~

Annexe II

Règlement de police et de voirie.

Article I.

Tout acte contraire à l'ordre et aux bonnes mœurs et présentant quelque danger pour la sécurité publique est interdit sur la voie publique. Il est expressément défendu d'y tirer des feux d'artifice et des pétards.

Article II.

Sont et demeurent prohibés dans le quartier diplomatique: les maisons de jeu, les tueries d'opium, les maisons publiques et les débits de boisson autres que les cantines situées à l'intérieur des casernes. La fermeture immédiate d'établissements de ce genre sera prononcée, le cas échéant, par la Commission d'Administration, sans que les tenanciers puissent jamais avoir droit à une indemnité d'aucun genre. Les autorités compétentes devront assurer l'exécution des décisions de la Commission.

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La mendicité est interdite dans le quartier diplomatique.

Article IV.

Il est interdit aux chinois de passer sur la partie de la muraille réservée par le protocole pour la défense des Légations

Les Soldats Chinois, même non porteurs de leurs armes, ne pourront traverser le quarter diplomatique que si les autorités chinoises en ont préalablement donné avis à la Commission d'administration. Exception est seulement faite à cette règle pour les gens de la suite des fonctionnaires chinois qui se rendraient en visite officielle dans l'une des habitations du quartier et pour les soldats escortant des convois de numéraire aux banques.

Article V.

A partir du moment où les rues du quartier diplomatique seront remises en état, la circulation des voitures chinoises dont les jantes sont garnies de clous sera interdite dans les limites de ce quartier.

Il est interdit aux fardiers de pénétrer dans les ~~limites~~ quartier sauf lorsque les charges qu'ils amènent sont destinées aux maisons qui y sont installées, ou à son entretien.

Article VI.

Les conducteurs de voiture et les cavaliers devront maintenir leurs attelages et leurs montures à une allure modérée et tenir leur gauche.

Ils devront éviter de passer trop passer près des canivaux qui bordent les trottoirs à partir du coucher du soleil, les voitures et les fikshas être éclairés et les cavaliers devront aller au pas.

Article VII.

Il est interdit dans la rue des Légations de promener des chevaux, des ânes ou des mulets par groupes. Ils doivent être montés ou tenus en main par un mafou; lorsqu'ils traversent les rues, les animaux doivent être placés par rangs de deux de front au plus.

Il est interdit d'attacher des animaux dans la rue, le long des maisons et de les y laisser stationner pendant plusieurs heures.

Art. 8. [illegible]

les soldats Chinois, même non porteurs de leurs armes, ne pourront traverser le quartier diplomatique que si les autorités chinoises en ont préalablement donné avis à la Commission d'administration. Exception est seulement faite à cette règle pour les gens de la suite des fonctionnaires chinois qui se rendraient en visite officielle dans l'une des habitations du quartier et pour les soldats escortant des convois de numéraire aux banques.

Article V.

A partir du moment où les rues du quartier diplomatique seront remises en état, la circulation des voitures chinoises dont les jantes sont garnies de clous sera interdite dans les limites de ce quartier.

Il est interdit aux tardiers de pénétrer dans les ~~limites~~ quartier sauf lorsque les charges qu'ils amènent sont destinées aux maisons qui y sont installées, ou à son entretien.

Article VI.

Les conducteurs de voiture et les cavaliers devront maintenir leurs attelages et leurs montures à une allure modérée et tenir leur gauche.

Ils devront éviter de passer trop près des cantonnements qui bordent les trottoirs à partir du couchant du soleil, les voitures et les tikangs être eclairés et les cavaliers devront aller au pas.

Article VII.

Il est interdit dans la rue des Legations de promener des chevaux, des ânes ou des mulets par groupes. Ils doivent être montés ou tenus en main par un meneur; lorsqu'ils traversent les rues, les animaux doivent être placés par rangs de deux de front au plus.

Il est interdit d'attacher des animaux dans la rue, le long des maisons et de les y laisser stationner pendant plus leure heures.

Article VIII

Il est interdit de jeter ou de déposer sur la voie pob-lique des débris de verre ou de porcelaine ou rien qui puisse b blesser les passants.

Il est expressément défendu de jeter dans les canivaux aucun corps solide et aucun liquide de nature à produire des exhalaisons mauvaises ou nuisibles.

Il est expréssment défendu de désposer des ordures en dehors des lieux affedtés à cet usage.

Article IX.

L'enlèvement des boues et immondices devra être effectué par l'Entrepeneur du balayage avant 7 heures du matin du I Avril au 1 Octobre et 8 heures du matin du 1 Octobre au 1 Avril.

Les habitants qui déposeront sur la voie publique des détritus ou résidus de balayage devront les renfermer dans une caisse en bois ou en tôle, pour les faire enlever par l'Entrepeneur et non les placer à même sur les trottoirs ou sur la chaussee.

Article X.

Toute personne transportant des vidanges ou autres matières répandant de mauvaises odeurs, devra prendre les précautions nécessitées par l'hygiène. Le transport des vidanges ne pourra avoir lieu avant 9 heures du soir et le matin après 7 heures en été et 8 heures en hiver.

Article XI.

Il est interdit, a moins d'autorisation de la commission d'administration de laisser séjourner, même provisoirement, des marchandises ou matériaux sur la voie publique.

Cette autorisation ne pourra être accordée que si les dépôts en question ne génent pas la circulation des voitures. Ils devront être eclairés la nuit.

Toute excavation ou tranchée devra être indiquee de jour

par

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Toute excavation ou tranchée devra être indiquée de jour

par

par un signal et éclairée la nuit.

Article XII.

Il est interdit:

1. d'ouvrir des tranchées sur la voie publique;

2. de dégrader, de quelque manière que se soit, les trottoirs, chaussées, canivaux, réverbères, poteaux télégraphiques, ou autres ouvrages destinés à l'usage publique.

3. d'usurper sur la largeur de la voie publique par des constructions en saillie ou d'établissement d'auvents, de marches, de bornes ou de tout ce qui est de nature à gêner la circulation.

Article XIII.

Tout acte de résistance envers les agents chargés de veiller à l'exécution du present règlement sera déféré aux autorités civiles ou militaires de la nationalité du délinquent

Article XIV.

Toute contravention aux presents réglements commise par des civils or des officiers, pourra être punie d'une amende dans les limites des lois ou règlements admis par les différents pays.

Tout sous-officers ou soldat y contrevenant sera remis aux autorités militaires de sa nationalité ppur être puni conformément aux lois et règlements militaires de son pays.

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3. d'embarrer sur la largeur de la voie publique par des constructions en saillie ou d'établissement d'auvents, de marches, de portes ou de tout ce qui est de nature à gêner la circulation.

Article XIII.

Toute sorte de rassemblements auxquels les agents chargés de veiller à l'exécution du présent règlement seraient refusé aux autorités civiles ou militaires de la nationalité du délinquant

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Annexe III.

Règlement de la police militaire.

1.

Les Officers Commandant des Gardes des Légations s'entendront pour diviser le quartier diplomatique en sections dont chacun sera surveillée exclusivement par les soldats de police d'une même nation.

2.

Chaque Commandant organisera le service de sécurité dans la section conformément aux prescriptions générales du present règlement.

3.

Les Gardes des Légations disposant d'un nombre suffisant d'officiers nommerant par trimestre, à tour de rôle, un officier de police.
(Pour les fonctions de ce dernier voir § 5, 6, et 9.)

4.

Les soldats de police portent au bras un brassard rouge avec l'inscription P.

Ils font leur service à pied, sans fusil, avec bâton.
Si les officiers commandant jugent nécessaire, ils peuvent porter le revolver pendant la nuit.

Pendant la nuit les soldats de la police marchent deux par deux.

5.

Les soldats de police vérifient l'identité de toutes les personnes commettant un crime, un délit ou une contravention contre le présent règlement les arrêtent en cas de besoin et font immédiatement un rapport.

6.

En cas d'arrestation:

(a). Les militaires sont remis à la garde de leur nation.

(b) Les civils sont conduits à la Legation dont ils res-

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6.

En cas d'arrestation:

(a). Les militaires sont remis à la garde de leur nation.

(b) Les civils sont conduits à la légation dont ils res-

sortissent.

(c) Les chinois sont remis à la garde de la nation à laquelle appartient l'officier de police; ce dernier prendra les mesures nécessaires pour que le délinquant soit livré à la police chinoise.

7.

L'usage d'armes par les soldats de police se règle conformement aux lois militaires de leur nation. Il est interdit aux soldats de police de frapper qui que ce soit sauf en cas de défense.

8.

Les Commandants des Gardes des Legations participant à la Police rendront compte a l'officier de Police du Quartier des incidents qui se seront passés dans chaque section pendant les dernières 24 heures. L'officier de Police enverra à la fin de chaque mois un rapport à la Commission d'administration.

Annexe IV.

Règlement pour les Rikshas.

Article I.

Aucun rikshas ne pourra circuler dans le quartier diplomatique sans avoir été préalablement inscrit à la commission d'Administration. Les stations, en nombre suffisant seront assignés à ceux qui auront satisfait à cette prescription.

Article II.

Sur le vu de la demande d'inscription, il sera remis au déclarant un No. qui devra être affiché au dos du riksha, de facon qu'il soit apparent et facile à contrôler, même en marche

Article III.

Le prix de l'inscription sera de Dollar 2 par an ou Dol-

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(c) Les chinois sont remis à la garde de la nation à laquelle appartient l'officier de police; ce dernier prendra les mesures nécessaires pour que le délinquant soit livré à la police chinoise.

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L'usage d'armes par les soldats de police est réglé conformément aux lois militaires de leur nation. Il est interdit aux soldats de police de frapper qui que ce soit sauf en cas de défense.

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Le prix de l'inscription sera de Dollar 2 par an ou Dol-

lar 1 par semestre; il sera de plus remis par chaque inscrit une somme de cents 30 pour prix de la plaque qui lui sera remise au moment de sa déclaration.

L'inscription sera refusée aux conducteurs de rikshas dont les véhicules seraient malpropres.

Article IV.

Les conducteurs de rikshas dont la mauvaise tenue sera constatée seront passibles d'une amende fixe de Dollar 2, par chaque contravention sans pouvoir obtenir leur inscription pendant six mois.

Article V.

Tout conducteur de rikshas qui transportera un coolie dans son véhicule se verra retirer sa plaque de circulation.

Article VI.

Le prix des courses sera fixé par ordonnande de la Commission d'administration et sera payable au moyen de tikets spéciaux délivrés par l'autorité.

Annexe V.

Règlements en cas d'épidémie sur les animaux.

Règlements généraux.

I.

Si une épidémie ou des symptômes suspects de rage, morve, typhus ou fièvre aptheuse se déclare parmi les animaux, toute autorité civile et militaire ainsi que tout particulier habitant du quartier des Légations seront tenus de le faire savoir immediatement à la Commission d'Administration. Elles auront de plus l'obligation de tenir l'animal malade éloigné de tout endroit ou il pourrait propager la contagion.

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Article V.

Tout conducteur de rikshas qui transportera un colis dans son véhicule se verra retirer sa plaque de circulation.

Article VI.

Le prix des courses sera fixé par ordonnance de la Commission d'administration et sera payable au moyen de tickets spéciaux délivrés par l'autorité.

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II

Après en avoir donné connaissance on sera obligé de demander l'assistance d'un vétérinaire en vue de faire constater le cas de maladie.

Règlements spéciaux concernant les chevaux, ânes, et mulets atteints de la morve.

I.

Les animaux atteints de la morve seront immédiatement abattus.

II

Les animaux chez lesquels on aura constaté des symptomes de morve devront être séparés d'avec les autres et soumis au contrôle médicale.

On devra éviter de les laisser rencontrer des animaux bien portants et il ne sera permis de les monter, de les conduire et de les promener que dans des endroits spéciaux. Ils resteront sous le contrôle quotidien du vétérinaire.

III

Les cadavres des animaux tués ou morts devront être brûlés et les restes enterrés dans des endroits séparés et spéciaux.

IV.

Un écriteau portant en lettres distinctes et en lagnues différentes l'inscription de morve devra être placé sur chaque écurie dans laquelle des symptomes de cette maladie auront été constatés.

L'écriteau mettant cette écurie en quarantaine y sera laisse pendant six mois.

V.

L'écurie devra être desinfectée sous le contrôle médical. Les objets employés aux soins de l'animal malade seront placés dans un endroit designé à cet effet et seront désinfectés avant d'en être retirés.

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d'en être retirés.

VI.

Les personnes dannant leurs soins aux animaux malades devront être averties des dangers de la contagion.

VIII.

On ne déclarara que six mois après le dernier cas de maladie que tout danger est évité. La quarantaine pourra alors être levée et les habitants du quartier en seront averties.

Règlements spéciaux concernant les animaux atteints de la rage.

I.

La Commission d'administration notifiera aux habitants du quartier l'existence du foyer d'infection.

La Légation à la quelle ressortil le détenteur de l'animaux malade ou suspecte veillera à ce que les précautions énoncées ci dessus soient observées.

II

Des règlements tres sévères devront être appliqués pour une durée de 3 mois dès qu'un cas de rage aura été constaté dans le quartier des Légations. Les chiens devront porter la muselière et être conduits en laisse, ou être consignés dans l'enclos des jardins et des cours.

III

Tous les chiens ou autres animaux domestique atteinte ou suspects devront être abattus ou enfermés dans des cages d'une solidité aprouvée.

IV.

Pour éviter les morsures, il sera defendu d'appliquer des remèdes aux animaux suspects de la rage avant de les avoir fait examiner par une personne compétente.

V.

Si le cas de rage est constate, on tuera tous les chiens et les chats suspects d'avoir été mordus.

VI.

Les personnes donnant leurs soins aux animaux malades devront être averties des dangers de la contagion.

VIII.

On ne déclarera que six mois après la dernier cas de maladie que tout danger est évité. La quarantaine pourra alors être levée et les habitants du quartier en seront avertis.

Réglements spéciaux concernant les animaux atteints de la rage.

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La Commission d'administration notifiera aux habitants du quartier l'existence du foyer d'infection.

La Légation à la quelle ressortit le détenteur de l'animal aux malade ou suspecte veillera à ce que les précautions énoncées ci dessus soient observées.

II

Des réglements très sévères devront être appliqués pour une durée de 3 mois dès qu'un cas de rage aura été constaté dans le quartier des Légations. Les chiens devront porter la muselière et conduits en laisse, ou être consignés dans l'enclos des jardins et des cours.

III

Tous les chiens ou autres animaux domestique atteints ou suspects devront être abattus ou enfermés dans des cages d'une solidité éprouvée.

IV.

Pour éviter les morsures, il sera défendu d'appliquer des remèdes aux animaux suspects de la rage avant de les avoir fait examiner par une personne compétente.

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V.

Si le cas de rage est constaté, on tuera tous les chiens et les chats suspects d'avoir été mordus.

VI.

Si des soupcons concernant les autres animaux domestiques existent ceux-ci devront être placés sous le contrôle du vétérinaire. Ils seront tués dès qu'on aura constaté des symptomes de maladie.

VII

Les étables des animaux malades ainsi que tous les objets qui les auront touchés devront être soigneusement désinfectés.

Les niches et paniers de chiens, en bois ou en paille seront brûlés.

VIII.

Les cadavres des animaux tués ou morts devront être brûlés et les restes enterrés.

Annexe VI.

Règlement sanitaire.

Article I.

Les cas de maladies infectieuses qui seront observés, seront déclarés immédiatement par chaque médicin à ses collègues des Légations et des Gardes. Les maladies à déclarer sont les suivantes:

Peste,
Cholera
Typhus exauthématique,
Scarlatine,
Variole
Rougeole
Meningite, cérébrospinale épidémique.
Diphtérie
Dyssenterie
Fièvre typhoide
à forme épidémique.
Morve,
Rage,
Peste Bovine
Charbon.

VI.

Si des soupçons concernant les autres animaux domestiques existent ceux-ci devront être placés sous le contrôle du vétérinaire. Ils seront tués dès qu'on aura constaté des symptomes de maladie.

VII

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Peste, Morve,
Choléra Rage,
Typhus exanthématique, Peste Bovine
Scarlatine, Charbon.
Variole
Rougeole
Méningite cérébro-spinale épidémique.
Diphtérie
Dysenterie à forme
Fièvre typhoide épidémique.

Article II.

Les cas de peste et de choléra qu'un Médicin observera dans les quartiers chinois, seront signalés aussitôt.

Article III.

Toute cause d'infection sera immédiatement déclarée afin que des mesures rigoureuses soient appliquées (intoxication par produits alimentaires boisson, etc.)

VI.

Si des suspects concernant les autres animaux domestiques existent ceux-ci devront être placés sous le contrôle du vétérinaire. Ils seront soumis à un examen clinique et à toutes les épreuves de laboratoire qui seront jugées nécessaires.

Article II.

Les cas de peste et de choléra qu'un Médecin observera dans les quartiers chinois, seront signalés aussitôt.

Article III.

Toute cause d'infection sera immédiatement déclarée afin que des mesures rigoureuses soient appliquées (intoxication par produits alimentaires poisson, etc..)

VIII.

Les cadavres des animaux tués ou morts devront être brûlés et les restes enterrés.

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Règlement sanitaire.

Article I.

Les cas de maladies infectieuses qui seront observés, seront déclarés immédiatement par chaque médecin à ses collègues des légations et des Douanes. Les maladies à déclarer sont les suivantes:

Peste, Morve,
Choléra Rage,
Typhus exanthématique, Peste Bovine
Dourine, Charbon.
Variole
Rougeole
Meningite, cerebro-spinale épidémique.
Dysenterie
Fièvre typhoide } à forme épidémique.

Translation

Plan of Government for the
Diplomatic Quarter in Peking.

Art. I.

By Article VII of the Final Protocol the quarter occupied by the Powers signing the Final Protocol and by the Korean Legation Legation is reserved for their use and placed under their exclusive police. Chinese have no right to reside therein.

Art. II.

The boundaries of the Diplomatic Quarter are those defined in the said Article of the Final Protocol.

Art. III.

The Representatives of the Powers which signed the Final Protocol, after due deliberation have, on the 15th of July, 1904, signed the agreement herewith relative to the Diplomatic Quarter, and also a map of this Quarter.

Art. IV.

An administrative Commission of the Diplomatic Corps is delegated to take charge of the administration of the police and of the highways.

Art. V.

This Commission is composed as follows: 1; of four Representatives of the Legations of the Powers which signed the Final Protocol and of Korea, appointed by the heads of missions of the said Powers. 2; of two representatives of the inhabitants in the Quarter chosen by election to the exclusion of members of the Diplomatic and Military Services.

This Commission is elected for one year. All of its members are re-eligible. If by reason of decease, resignation, or departure, it loses one of its members, immediate steps shall be taken either by the Representatives of the Powers which signed the Final Protocol and of Korea, or by the

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the electors to fill the place.

Art. VI.

an elector and is eligible to office after attaining the age of twenty-one years. He can be represented by a delegate in either capacity. A rate payer paying twenty-five dollars shall be entitled to one extra vote; one paying fifty dollars shall be entitled to two extra votes. Electors shall only be permitted to exercise their right to vote or to be elected to office if their taxes have been fully paid.

Art. VII.

Each year in the month of October the Administrative Commission makes up a list of voters, revises it, and calls on the electors to meet in the first days of November.

Art. VIII.

The election is held by secret ballot under the direction of the outgoing President. Any elector is eligible. The vote is personal, but the proxy or representative of an absent elector shall be able to vote in his place if he is provided with a power of attorney. The Representatives of the Powers which signed the Final Protocol and of Korea shall appoint, on the day of election, three Representatives on the Commission. These Representatives are elected by a majority vote, and in case of a tie the Dean shall have the casting vote.

Art. IX.

On the day following its formation the Commission chooses its President who must be taken from among the Representatives of the Diplomatic Body, also the Secretary and Treasurer. It will be its duty to propose without delay a plan for the expenses and receipts for the following year, which shall be submitted to a meeting of the Representatives of the Powers which signed the Final Protocol and of Korea. The fiscal year is from the 1st of January

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Art. VI.

an elector and is eligible to office after attaining the age of twenty-one years. He can be represented by a delegate in either capacity. A rate payer paying twenty-five dollars shall be entitled to one extra vote; one paying fifty dollars shall be entitled to two extra votes. Electors shall only be permitted to exercise their right to vote or to be elected to office if their taxes have been fully paid.

Art. VII.

Each year in the month of October the Administrative Commission makes up a list of voters, revises it, and calls on the electors to meet in the first days of November.

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Art. X.

The Commission shall hold a regular meeting at the beginning of each quarter, and also shall meet whenever the President calls it together, or when one member thereof makes a written request to this effect. Furthermore, any Representative of the Powers which signed the Final Protocol and of Korea has the right request the President to call the Commission together. Four members at least must be present to make the deliberations valid. Decisions are reached by a majority vote, except in questions of expenses not provided for in the budget, for which a unanimous vote is required. In case of a tie the President shall have the casting vote. After each meeting the minutes of the preceding meeting shall be submitted to the Representatives of the Powers which signed the Final Protocol and of Korea.

Art. XI.

The Administrative Commission deliberates on the following questions:

1. Budget of receipts and expenses of the Diplomatic Quarter.

3. Incidence of taxation and mode of collection.

4. Request for reduction or exemption of taxes.

5. Opening of streets; works and plans for works for sanitation and maintenance of highways.

6. Concessions for lighting and water-works.

7. Regulations concerning public health and the superintendence of the streets.

8. All other business concerning the interests of the Quarter upon which the Representatives of the Powers which signed the Final Protocol and of Korea may invite them to deliberate.

The Commission's decisions shall have force only when accepted by the Representatives of the said Powers.

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Art. XII.

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The principal source of revenue for the maintenance of the Diplomatic Quarter shall be derived from a land tax in proportion to the area of the land occupied by the different proprietors. Furthermore, it is lawful for the Administrative Commission, having obtained the authority of the Representatives of the Powers signatory of the Final Protocol and of Korea, to create other sources of revenue.

Art. XIII.

The Commission is charged with the international policing of the Quarter. It is charged with the administration of the services concerning the maintenance of the streets, the drainage, the lighting of the streets, the execution of works of public utility, and the collection of the taxes. It can propose regulations for the police and the care of the highways, which shall be submitted to the approbation of the Representatives of the Powers which signed the Final Protocol and of Korea. It gives notice of the breaches of these regulations to the proper authorities. It appoints those connected with these different services and suspends or dismisses those employed therein.

Art. XIV.

The members of the Commission cannot be held responsible in their personal property for decisions made by the Commission of which they forma part.

Art. XV.

This plan of Government, with the regulations annexed, shall go into vigor when approved by the Representatives of the Powers which signed the Final Protocol and of Korea. It can be revised after the interval of two years from the date of its going into force.

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ANNEX I.

Protocol.

The undersigned Representatives of the Powers signers of the Final Protocol of the 7th of September, 1901, in view of Article VII of the said Protocol, by which the Chinese Government has admitted that the quarter occupied by the Legations should be considered as a quarter specially reserved for their usage, placed under their exclusive police where Chinese would not have the right to live, and which might be put into a state of defence, and in view of the plan fixing the limits of this quarter in accordance with the Protocol, have agreed on what follows:

1. The possession of the land indicated by having their name inscribed on the map made for that purpose, and annexed to this Protocol, is conceded to each Legation, also to the Imperial Maritime Customs, to each foreign association, and to all private individuals.

2. All land included between the limits of the quarter and the defensive walls marked on the map, land which is reserved as a glacis for the defence of the quarter, also the roads, sidewalks, gutters, bridges, drains, trees, and constructions of whatever nature, are conceded to belong to the Diplomatic Quarter as a common possession.

3. Are excepted, parcels of land situated on the Glacis, which are conceded to have belonged to private individuals before the 20th of June, 1900, the date of the beginning of the siege of the Legations, which are also indicated on this map.

These parcels remain the property of their former proprietors, or of those deriving their rights from them. To avoid all misunderstanding a list of such parcels is added, as follows:

On the glacis, in front of the German Legation, the land belonging to the Russo-Chinese Bank, and the land in

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On the glacis, in front of the German Legation, the land belonging to the Russo-Chinese Bank, and the land in

front

front of the German Legation which formerly belonged to Mr. Coltman.

On the glacis in front of the French Legation, the land belonging to the Missionary Society of the Methodist Episcopal Church.

On the glacis in front of the Austro-Hungarian Legation, the land belonging to Mr. Splingaerd.

4. No construction, permanent or temporary, with the exception of those now existing, shall be made upon any part whatever of the glacis, without the unanimous consent of the Representatives of the Powers signers of the Final Protocol of the 7th of September, 1901.

5. The glacis being recognized as common property, each Legation is provisionally charged with the control of that part of which it has at present assumed the defence, and the Commandants of the Guards shall be invited to consult together on all matters relating to its military organization.

6. The Legations, the Imperial Customs, Associations, and private individuals, shall not make any encroachments on the glacis, the roads, sidewalks, bridges, or canals, as they are indicated on the map.

7. The Representatives of the Powers signers of the Final Protocol of September 7th, 1901, agree to proceed forthwith to the drawing up of a plan of general Government of the police and control of the roads, and to submit this to the approbation of their respective Governments. Moreover they shall take such steps as they shall deem advisable to obtain the necessary authority to enforce these regulations upon their nationals, and to oblige them to pay the taxes intended to insure the service of the police and the maintenance of the roads.

8. The Korean Legation, having taken the place of a

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9. Works already executed at the expense of certain Legations, to rebuild roads, sidewalks, canals, bridges, or, in fact, any other work of public utility, are entitled to no compensation from the community.

10. Three copies of this Protocol, with the annexed plan, shall be printed for each Legation.

Done at Peking, the 13 of June 1904

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ANNEX 2.

Regulations for Police and Street Control.

Art. I.

Any act contrary to order, to good morals, or resulting in danger to the public safety is prohibited on the highways.

It is expressly forbidden to set off fireworks or firecrackers.

Art. II.

Gambling houses, places in which to smoke opium, disorderly houses and drinking shops, with the exception of the canteens situated within the barrack bounds, are not permitted in the Diplomatic Quarter. The immediate closing of such establishment shall be decreed, if a case arises, by the Administrative Commission, without the tenant being entitled to an indemnification of any kind.

The proper Authorities will see to the execution of the decisions of the Commission.

Art. III.

Begging is forbidden in the Diplomatic Quarter.

Art. IV.

It is forbidden for Chinese to go upon that part of the wall reserved by the Protocol for the defence of the Legations.

Chinese soldiers, even unarmed, shall not pass through the Diplomatic Quarter, unless previous notice has been given to the Administrative Commission by the Chinese Authorities. The only exceptions made to this rule are for people in the suite of the Chinese dignitaries who come to make official calls in the Quarter, and the soldiers safeguarding remittances of specie for the Banks.

Art. V.

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It is forbidden for bearers of burdens to go into the Quarter, unless the loads which they carry are destined for houses there, or for its maintenance.

Art. VI.

Drivers of vehicles and equestrians must proceed at a moderate gait and keep to the left. They must avoid passing too near the gutter stones on the edge of the sidewalks.

After sunset carriages and rickshas must carry lights, and equestrians must proceed at a walk.

Art. VII.

It is forbidden to lead horses, donkeys, or mules in groups in Legation Street. They must be mounted or led by a mafoo. When they cross the streets these animals must be ranged in rows of not more than two in a line. It is forbidden to tie up animals in the street along the houses, and to let them remain there for several hours.

Art. VIII.

It is forbidden to throw or leave on the public way, pieces of glass or porcelain, or anything which might wound passers.

It is especially forbidden to throw into the gutters any solid bodies or any liquids of a nature to produce disagreeable or injurious odors.

It is especially forbidden to leave offal anywhere except at the places chosen for this purpose.

Art. IX.

The carrying away of the mud and filth must be done by the street-cleaning contractor before seven in the morning, from the 1st of April to the 1st of October, and eight in the morning from the 1st of October to the 1st of April.

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Persons leaving in the streets rubbish or sweepings for the purpose of having them removed by the contractor must put these in boxes of wood or iron, and not throw them out onto the sidewalk or highway.

Art. X.

Any persons transporting slops or other malodorous matter must observe all hygienic precautions. Transportation of slops cannot take place before nine o'clock in the evening or after seven in the morning in Summer, and eight in Winter.

Art. XI.

It is forbidden, without previous permission from the Administrative Commission, to leave, even temporarily, merchandise or building materials on the streets. This authorization shall only be granted if such articles do not interfere with the circulation of carriages. Their presence must be indicated by a light at night.

All excavations or cuttings must be indicated in the day time by a signal, and at night by a light.

Art. XII.

It is forbidden:

1. To make cuttings in the public road;

2. to injure in any manner whatsoever, the sidewalks, streets, gutters, lamps, telegraph posts, or other works destined for public use;

3. to infringe on the width of the public road by constructions jutting out, or by building projecting roofs, steps, boundary stones, or anything of a nature to impede circulation.

Art. XIII.

Any acts of resistence against those whose duty it is to enforce the execution of these regulations shall be brought to the notice of the Civil or Military Authorities of the nationality of the delinquent.

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Any non-Commissioned Officer or soldier breaking these rules shall be turned over to the Military Authorities of his nationality to be punished according to the military rules and regulations of his country.

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A N N E X III.

Regulations for the Military Police.

Art. I.

The Officers commanding the Legation Guards shall come to an agreement as to the division of the Diplomatic quarter into sections, each one of which shall be watched over exclusively by military policemen of one nationality.

Art. II.

Each Commandant shall organize the police service in the section in accordance with the following rules:

Art. III.

Those Guards having a sufficient number of Officers at their disposal shall appoint every three months, in turn, an officer in charge of the police. (For whose duties see par. 5, 6 and 9.)

Art. IV.

The soldiers of the police wear on their right arms a red band with a letter "P." They perform their duties on foot, without a gun, with a club. If their officers deem it necessary they may carry a revolver at night. During the nights the soldiers of the police make their rounds in pairs. Art. V.

The soldiers verify the identity of everyone committing a crime, misdemeanor or a breach of regulations, arrest them if necessary and immediately make a report.

Art. VI.

In case of arrest.

a/ Soldiers shall be turned over to the Guard of their nation.

b/ Civilians shall be taken to the Legation to which they belong.

c/ Chinese shall be turned over to the Guard of nation of the officer in charge of the police. The latter shall take the steps necessary to have the delinquent handed over to the Chinese police. Art. VII.

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The use of arms by the soldiers of police shall be regulated by the rules of their service.

Soldiers of the police are forbidden to strike any one except in self-defence.

Art. VIII.

The Commandants of the Legation Guards participating in the police shall notify the Officer in charge of the police of the Quarter, of any incidents which may have taken place in each district during the previous twenty-four hours.

The Officer in charge shall send a report to the Administrative Commission at the end of each month.

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ANNEX IV.

Rules Governing Rickshas.

Art. I.

No ricksha will be allowed to circulate in the Diplomatic Quarter unless previously registered by the Administrative Commission. Stations in sufficient number will be assigned to those who have complied with this requirement.

Art. II.

When application for registration is made a number will be given to the applicant to be affixed to the back of the rickasha, in such a manner that it can be easily seen even when the rickasha is in motion.

Art. III.

The price of registration shall be two dollars a year, or one dollar semi-annually. Moreover, thirty cents shall be paid by each man as the price of the numbered plate which shall be given to him as soon as he is accepted.

Art. IV.

Ricksha men whose uncleanly appearance shall have been established will be liable to a fine of two dollars for each breach of the regulations, and their registration suspended during six months.

ART. V.

Any ricksha man transporting a coolie in his vehicle shall have his license withdrawn.

Art. VI.

The price of trips shall be fixed by regulation of the Administrative Commission, and shall be payable by special tickets issued by that authority.

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ANNEX V.

Rules in case of Epidemic among Animals.

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Art. I.

If an epidemic or suspicious symptoms of Rabies, Glanders, Typhus or Apthous Fever appears among animals, all civil or military authorities, as well as private individuals living in the Legation Quarter shall make this known immediately to the Administrative Commission. They shall, moreover, be compelled to keep the sick animal away from any place in which the contagion might spread.

Art. II.

After giving notice the assistance of a veterinary surgeon must be called for in order to verify the existence of the disease. The Legation in which a case of epdemic disease or alarming symptoms shall have been verified by the veterinary shall notify the other Legations and shall take care that the precautions enumerated below be strictly observed.

II.

Special rules relating to Horses, Donkeys, and Mules attacked by Glanders.

Art. I.

Animals attacked by glanders shall be immediately destroyed.

Art. II.

Animals among which symptoms of glanders appear shall be separated from the others and placed under medical surveillance. Care should be taken to keep them away from healthy animals, and they must not be mounted, led or walked about except in places specially designated. They will remain under the daily care of the veterinary surgeon.

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Art. III.

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The bodies of animals which have been killed or have died shall be burned and the remains interred in specially selected places.

Art. IV.

A tablet bearing in different languages, and in distinct letters, the inscription "Glanders" must be placed over every stable in which symptoms of this disease have been verified. The tablet putting this stable in quarantine shall remain there six months.

Art. V.

The stable must be disinfected under medical supervision. The objects employed in the care of the sick animal shall be put in a place chosen for that purpose and shall be disinfected before they are taken away.

Art. VI.

People taking care of sick animals must be warned of the danger of contagion.

Art. VII.

Notice that all danger is passed shall be given only six months after the last case of disease. Quarantine can then be raised and the Legations of the other nations shall be notified.

-III-

Special Rules Relating to Animals attacked by Rabies.

Art. I.

If a case of Rabies is discovered in the Legation Quarter very severe rules must be applied for a period of three months. Dogs must wear a muzzle and be leashed, or must be kept within the enclosures of gardens or court yards.

Art. II.

All dogs or domestic animals which are attacked or suspected of disease will be killed or shut up in strongly constructed

Art. III.

The bodies of animals which have been killed or have died shall be burned and the remains interred in specially selected places.

Art. IV.

A tablet bearing in different languages, and in distinct letters, the inscription "Glanders" must be placed over every stable in which symptoms of this disease have been verified. The tablet putting this stable in quarantine shall remain there six months.

Art. V.

The stable must be disinfected under medical supervision. The objects employed in the care of the sick animal shall be put in a place chosen for that purpose and shall be disinfected before they are taken away.

Art. VI.

People taking care of sick animals must be warned of the danger of contagion.

Art. VII.

Notice that all danger is passed shall be given only six months after the last case of disease. Quarantine can then be raised and the Legations of the other nations shall be notified.by Glandere.

-III-

Special Rules Relating to Animals attacked by Rabies.

Art. I.

If a case of Rabies is discovered in the Legation Quarter very severe rules must be applied for a period of three months. Dogs must wear a muzzle and be leashed, or must be kept within the enclosures of gardens or courtyards.

Art. II.

All dogs or domestic animals which are attacked or suspected of disease will be killed or shut up in strongly constructed

constructed cages.

Art. III.

To avoid bites it will be forbidden to apply remedies to animals suspected of rabies before they have been examined by a competent person.

Art. IV.

If a case of rabies is proven, all dogs and cats suspected of having been bitten will be killed.

Art. V.

If doubt exists with regard to other domestic animals they must be put under the direct control of the veterinary surgeon. They shall be killed as soon as symptoms of the disease appear.

Art. VI.

The stable of sick animals, as well as all objects which have touched them, must be carefully disinfected.

The kennels or baskets for dogs when made of wood or straw shall be burned.

Art. VII.

The bodies of dead or killed animals must be burned and the remains buried.

constructed cages.

Art. III.

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Art. VII.

The bodies of dead or killed animals must be burned and the remains buried.

A N N E X V I.

Sanitary Regulations.

Art. I.

Cases of infectious disease which appear shall be immediately declared by each doctor to his Colleagues of the Legations and the Guards. The diseases which must be declared are as follows:

Plague,
Cholera,
Typhus(exanthematic).
Scarlatina,
Smallpox,
Measles,
Epidemic Cerebro Spinal Miningitis,
Diphtheria,
Dysintery,)
Typhoid Fever,) when epidemic,
Glanders,
Rabies,
Cattle Plague,
Anthrax.

Art. II.

All plague and cholera which a doctor observes in the Chinese quarters shall immediately be announced.

Art. III.

Every case of infection shall be announced immediately so that rigorous measures may be applied.

ANNEX VI.

Sanitary Regulations.

Art. I.

Cases of infectious diseases which appear shall be immediately declared by each doctor to his Colleagues of the Legations and the Guards. The diseases which must be declared are as follows:

Plague,
Cholera,
Typhus (exanthematic).
Scarlatina,
Smallpox,
Measles,
Epidemic Cerebro Spinal Meningitis,
Diphtheria,
Dysintery,) when epidemic,
Typhoid Fever,)
Glanders,
Rabies,
Cattle Plague,
Anthrax.

Art. II.

All plague and cholera which a doctor observes in the Chinese quarters shall immediately be announced.

Art. III.

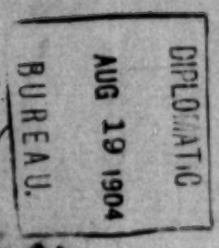
Every case of infection shall be announced immediately so that rigorous measures may be applied.

No. 1650.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.



July 7th, 1904.



Mr. Conger to the

Secretary of State.

To Costa Rican Min. Aug 3-4

Subject: The whereabouts of Mr. Enrique Chacon Solis.

Answering No. 779 of March 25.



No. 1650.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction #779 of March 25 last, directing me to try to obtain any information possible as to the whereabouts or fate of Mr. Enrique Chacon Solis of Costa Rica, who was last heard from in Shanghai, in September 1899.

The case was turned over for inquiry to Consul General Goodnow, whose answer has just reached me as follows:

"I can only say that I can find no trace of such a man, after thorough investigation."

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1512.

DEPARTMENT OF STATE, UNITED STATES OF AMERICA,
WASHINGTON,

July 7th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction #979 of March 25 last, directing me to try to obtain any information possible as to the whereabouts or fate of Mr. Enrique Deacon Soria of Costa Rica, who was last heard from in Shanghai, in September 1899.

The case was turned over for inquiry to Consul General Goodnow, whose answer has just reached me as follows:

"I can only say that I can find no trace of such a man, after thorough investigation."

I have the honor to be, Sir,

Your obedient servant,

No. 1651.

DEP'T OF STATE AUG 19 1904 2ND ASST SECRETARY

DIPLOMATIC BUREAU

Ack & file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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July 7th, 1904.

Mr. Conger to the

Secretary of State.

rec'd. aug. 24

DIPLOMATIC AUG 20 1904 BUREAU

Subject: The disturbances in Kwangsi. Reported mutiny of Imperial troops. Measures taken. Prospects.

CHIEF CLERK, AUG 19 1904 Department of State.

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No. 1881.

July 7th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The disturbances in Kwangsi. Reported meeting of Imperial troops. Measures taken. Prospects.

No. 1651.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

On the 2nd instant I received from Consul General McWade a telegram as follows:

"Conger, Peking.

Imperial troops mutinied, joined rebels, murdered all civil military officials at Liu Chou fu, Kwangsi, and seized city. Details later.

(Signed) McWade."

I immediately wrote Prince Ch'ing a note, copy of which I enclose, and have to-day received his reply of which I enclose a translation, and by which it appears that, although the disturbance is a serious one, yet the civil officials at Liu Chou fu were not killed as reported in the telegram, and that active and energetic measures are being taken to suppress the trouble and keep it from spreading.

Disturbances of this character have been so long chronic in the Province of Kwangsi that we should not be surprised if at any time they develop into a considerable rebellion.

I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to Prince Ch'ing, July 5th, 1904.
2. The Foreign Office to Mr. Conger, July 6th, 1904.

No. 444.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

On the 2nd instant I received from Consul General Mowade a telegram as follows:

"Conger, Peking.

Imperial troops mutinied, joined rebels, murdered all civil military officials at Lin Chou fu, Kwangsi, and seized city. Details later.

(Signed) Mowade."

I immediately wrote Prince Ch'ing a note, copy of which I enclose, and have to-day received his reply of which I enclose a translation, and by which it appears that although the disturbance is a serious one, yet the civil officials at Lin Chou fu were not killed as reported in the telegram, and that active and energetic measures are being taken to suppress the trouble and keep it from spreading.

Disturbances of this character have been so long chronic in the Province of Kwangsi that we should not be surprised if at any time they develop into a considerable rebellion.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to Prince Ch'ing, July 5th, 1904.
2. The Foreign Office to Mr. Conger, July 6th, 1904.

Enclosure No. / In Despatch No. 1651.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 5th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that I am in receipt of a telegram from the Consul General of the United States at Canton, saying that the Imperial troops in the vicinity of Liu Chou Fu, Kuanghsi, have mutinied and joined the rebels, and have murdered all the civil and military officials at the city mentioned, and that they are holding the city.

I have the honor to request Your Imperial Highness to communicate to me any news you may have relating to the matter, and to ask that strict orders be given to the Provincial authorities concerned to give due protection to foreign lives and property in the disturbed district.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. / In Despatch No. 1651.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 5th, 1904.

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(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 2 In Despatch No. 1651.

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt of Your Excellency's note, in which you say that the troops at Liu Chou Fu in Kuangsi have mutinied and killed all the civil and military officials in the city, which they were holding, and Your Excellency requests us to direct the local authorities to give protection to foreign lives and property in the disturbed district.

On the 18th and 19th of the present Moon(July 1 and 2) we received telegrams in succession from the Viceroy of the Two Kuang and the Governor of Kuangsi, saying that on the 11th(June 24th)the soldiers at the garrison stationed at Liu Chou Fu had mutinied, and that he had at once sent an urgent telegram ordering the local militia to move on to Liu Chou Fu and surround and capture the place; on the 15th (June 28th) the Prefectural city had been recaptured and that the Taot'ai, Prefect and District Magistrate in the city had received no injury; that the rebels had fled through the north gate of the city and raised disturbances in Liu Ch'eng Hsien; even then, forces were being selected from each branch of the regular troops to be sent in pursuit of the rebels and to prevent the disturbance from spreading.

We have already received an edict authorizing Ts'en Ch'un-hsuan to give strict orders for the various troops to rout the rebels and exterminate them completely. Having received a letter from Your Excellency in regard to the affair, my Board immediately telegraphed to the above named Viceroy telling him to issue stringent orders to the military and civil authorities instructing them to use all diligence to protect the lives and property of all foreigners in the place, and urging them not to show the least negligence in this matter. As soon as a reply shall have been

4

received

Enclosure No. 2 In Despatch No. 1/6 57.

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt of Your Excellency's note, in which you say that the troops at Lin Chou Fu in Kuangsi have mutinied and killed all the civil and military officials in the city, which they were holding, and Your Excellency requests us to direct the local authorities to give protection to foreign lives and property in the disturbed district.

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received

received to this communication my Board will again write to Your Excellency. As in duty bound, however, I write this letter first, in reply to Your Excellency's recent note, and at the same time I avail myself of the occasion to wish your Excellency the compliments of the day.

Cards enclosed.

Fifth Moon, 23rd Day. (July 6th, 1904).

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Cards enclosed.

Fifth Moon, 23rd Day. (July 6th, 1904).

No. 1652.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

SOLICITOR'S OFFICE
AUG 20 1904

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1904
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DIPLOMATIC
AUG 22 1904
BUREAU

July 7th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Protest of the American-China Development Company.

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CHIEF CLERK,
AUG 19 1904
Department of State.

No. 1052.

July 7th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Protest of the American-China Development Com-

pany.

No. 1652.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose a copy of a telegram recently received from Gen. Charles A. Whittier, President of the American-China Development Company, and of my note sent to Prince Ch'ing in consequence, with his reply.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Gen. Whittier to Mr. Conger (Tel.), June 25th, 1904.
2. Mr. Conger to Prince Ch'ing, June 28th, 1904.
3. Prince Ch'ing to Mr. Conger, July 2nd, 1904.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose a copy of a telegram recently received from Gen. Charles A. Whittier, President of the American-China Development Company, and of my note sent to Prince Ch'ing in consequence.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Gen. Whittier to Mr. Conger (Tel.), June 25th, 1904.
2. Mr. Conger to Prince Ch'ing, June 28th, 1904.
3. Prince Ch'ing to Mr. Conger, July 2nd, 1904.

Enclosure No./ In Despatch No./652.

General Whittier to Mr. Conger, (Tel.)

New York, June 25th, 1904.

Conger, Peking.

Please transmit Waiwupu American Company's protest against Hunanese obtaining rights Railway construction competing Company's original contract, Article three.

(Signed) Whittier.

Enclosure No.\ In Despatch No.\652.

General Whittier to Mr. Conger, (Tel.)

New York, June 25th, 1904.

Conger, Peking.

Please transmit Waiwupu American Company's protest against Hunanese obtaining rights Railway construction competing Company's original contract, Article three.

(Signed) Whittier.

Enclosure No.2 In Despatch No.1652.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 28th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that I have received a telegram from Mr. Whittier, President of the American-China Development Company, asking me to transmit to Your Imperial Highness the protest of the said American Company to the establishment of a native railway company in Hunan, which company shall be given rights to build railroads competing against the lines of the Hankow and Canton Railway; the protest being made because the granting of such rights is in direct opposition to article three of the original contract with the American-China Development Co.I write this letter, therefore, to transmit to Your Imperial Highness the protest of the said company as stated above, and at the same time I desire to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No.2 In Despatch No. 152

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 28th, 1904.

Your Imperial Highness:

I have the honor to inform Your Imperial Highness that I have received a telegram from Mr. Whittier, President of the American-China Development Company, asking me to transmit to Your Imperial Highness the protest of the said American Company to the establishment of a native railway company in Hunan, which company shall be given rights to build railroads competing against the lines of the Hankow and Canton Railway; the protest being made because the granting of such rights is in direct opposition to articles three of the original contract with the American-China Development Co. I write this letter, therefore, to transmit to Your Imperial Highness the protest of the said company as stated above, and at the same time I desire to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) W. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No.3 In Despatch No.1652

Prince Ch'ing to Mr. Conger.

I have the honor to state that I have received Your Excellency's letter in which you say that Mr. Whittier, President of the American-China Development Co., had telegraphed you protesting against the establishment of a native railway company in Hunan, which company shall be given rights to build railroads competing against the lines of the Hankow and Canton Railway; said protest being made because the granting of such rights is in direct opposition to the third article of the original treaty with the American-China Development Company.

I have the honor to state that if the gentry and merchants of Hunan sell shares themselves to establish a general railway company to build a line from Ch'ang te Fu to Ch'en Te Fu, this will not in any way be opposed to the contract with the American-China Development Company. It becomes my duty therefore to send this reply to Your Excellency's letter, trusting that you will transmit the same to the President of the said company, and at the same time I improve the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Fifth Moon, 19th day. (July 2nd, 1904)

Enclosure No.3 In Despatch No.1652

Prince Ch'ing to Mr. Conger.

I have the honor to state that I have received Your Excellency's letter in which you say that Mr. Whittier, President of the American-China Development Co., had telegraphed you protesting against the establishment of a native railway company in Hunan, which company shall be given rights to build railroads competing against the lines of the Hankow and Canton Railway; said protest being made because the granting of such rights is in direct opposition to the third article of the original treaty with the American-China Development Company.

I have the honor to state that if the gentry and merchants of Hunan will share themselves to establish a general railway company to build a line from Ch'ang te Fu to Ch'en Te Fu, this will not in any way be opposed to the contract with the American-China Development Company. It becomes my duty therefore to send this reply to Your Excellency's letter, trusting that you will transmit the same to the President of the said company, and at the same time I improve the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Fifth Moon, 19th day. (July 2nd, 1904)

No. 1653.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.



July 7th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Mail matter for Manchuria. Confirming Legation telegram of July 3rd.



No. 1653.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the third regarding the order of the Post Office Department that all mail for Manchuria should be forwarded via Russia and Siberia, as follows:

Secstate, Washington.

Third. Postoffice Department order May twelfth strongly urge all mail for Newchwang be sent via China.

(Signed) Conger.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1453.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN CHINA

July 7th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to confirm my telegram of the third regarding the order of the Post Office Department that all mail for Manchuria should be forwarded via Russia and Siberia, as follows:

Department, Washington.

Third. Postoffice Department order May twelfth strongly urge all mail for Newchwang be sent via China.

(Signed) Conger.

I have the honor to be, Sir,

Your obedient servant,

Edwin H. Conger

No. 1654.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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July 8th, 1904.

Mr. Conger to the

Secretary of State.

Aug 24 c.

Subject: The need of a Commercial Agent at Tsingtao.

Continuing No. 1640 of June 22nd.

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CHIEF CLERK, AUG 19 1904 Department of State.

No. 1884.

July 8th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The need of a Commercial Agent at Taiyuan.

Continuing No. 1840 of June 22nd.

No. 1654.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1640, of the 22nd ultimo, I have the honor to enclose a copy of a note received this morning from Baron von Mumm, the German Minister, in which he says that because of the lack of someone to sign Consular Invoices at Tsingtao, a German firm there is prevented from exporting goods from that Port to the United States.

I therefore beg that you will, upon receipt of this, instruct me by telegraph.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Baron von Mumm to Mr. Conger, July 6th, 1904.

No. 1454.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1440, of the 22nd ultimo, I have the honor to enclose a copy of a note received this morning from Baron von Mumm, the German Minister, in which he says that because of the lack of someone to act Consular Invoices at Tsingtao, a German firm there is prevented from exporting goods from that Port to the United States.

I therefore beg that you will, upon receipt of this, instruct me by telegraph.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Baron von Mumm to Mr. Conger, July 8th, 1904.

Enclosure No.—In Despatch No. 1654.

Baron von Mumm to Mr. Conger.

Peitaiho, July 6th, 1904.

Dear Mr. Conger:

Referring to the conversations which I had with you and Mr. Coolidge about the issuing of origine certificates for export goods from Tsingtao to the United States of America, I beg to state that, contrary to what I told you, this is not a purely theoretical discussion on a possible future event, but that there is a German firm which by the lack of a definite regulation of this matter is deprived of the possibility of exporting goods to the United States from Tsingtao.

This making the question an urgent one, you would oblige me greatly by urging the decision of your Government in this case as much as possible.

Believe me, dear Mr. Conger,

Yours very sincerely,

(Signed) A. v. Mumm.

Enclosure No.---In Despatch No. 164.

Baron von Mumm to Mr. Conger.

Peitaiho, July 6th, 1904.

Dear Mr. Conger:

Referring to the conversations which I had with you and Mr. Coolidge about the issuing of origine certificates for export goods from Tsingtao to the United States of America, I beg to state that, contrary to what I told you, this is not a purely theoretical discussion on a possible future event, but that there is a German firm which by the lack of a definite regulation of this matter is deprived of the possibility of exporting goods to the United States from Tsingtao.

This making the question an urgent one, you would oblige me greatly by urging the decision of your Government in this case as much as possible.

Believe me, dear Mr. Conger,

Yours very sincerely,

(Signed) A. v. Mumm.

No. 1655.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

July 8th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Requesting a new subscription to the San Francisco Chronicle.

No. 1655.

July 5th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Requesting a new subscription to the San Francisco Chronicle.

No. 1655.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 8th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Referring to my despatches Nos. 1280 of April 27th, 1903, and 1583 of April 22nd, 1904, I have the honor to report that no copy of the San Francisco Chronicle has been received at this Legation for some weeks. I therefore beg that the office of the newspaper be communicated with, so that if some mistake has been made it may be corrected, or in case the subscription has been allowed to lapse that it may be renewed.

I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

No. 1516.

LEGATION OF THE UNITED STATES OF AMERICA,
BERN, CHINA.

July 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my despatches Nos. 1280 of April 27th, 1903, and 1283 of April 22nd, 1904, I have the honor to report that no copy of the San Francisco Chronicle has been received at this Legation for some weeks. I therefore beg that the office of the newspaper be communicated with, so that if some mistake has been made it may be corrected, or in case the subscription has been allowed to lapse that it may be renewed.

I have the honor to be, Sir,

Your obedient servant,

ASSISTANT SECRETARY.
JUL 12 1904

TELEGRAM RECEIVED IN CIPHER.

From PEKING.

Received July 9, 1904, 7:36 a.m.

DIPLOMATIC BUREAU JUL 12 1904

LOOMIS,

Washington.

Ninth. Last September Reber was in Shanghai proceeding to Canton to be employed on Canton - Hankow Railway. Have no information since.

CONGER.

INDEX BUREAU JUL 14 1904 FILED

...ered by the Chief Clerk's Office, July 9, 1904, 9:30 a.m.

ASSISTANT SECRETARY

JUL 12 1904

TELEGRAM RECEIVED IN CIPHER.

Washington.

Kiami. Last September Roosevelt was in Miami proposed- ing to canton to be employed on Canton - Hankow Railway. Have no information since.

CHENEY.

Rec'd by the Chief Clerk's Office, July 9, 1904, 9:30 a.m.

TELEGRAM RECEIVED IN CIPHER.

DIPLOMATIC BUREAU
JUL 12 1904

. A. FD. 12 U.S.C. Via Pacific. *From* PEKING.

(Received 1:05 a.m., July 9, 1904.)

tate,
ashington.

Ninth. Cheshire assigned Nanking during Martins absence, starts to-day.

Conger.

ASSISTANT SECRETARY.
JUL 9 1904

NT. OF STATE
9 13 AM 1904
LERK'S OFFICE

INDEX BUREAU
JUL 21 1904
FILED

TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY
JUL 9 1904

ASSISTANT SECRETARY.
JUL 12 1904

TELEGRAM RECEIVED IN CIPHER.

From PEKING,

Received July 9, 1904, 7:15 a.m.

Secretary of State,

Washington.

Ninth. Have assigned Arnold Shanghai as Deputy.

CONGER.

INDEX BUREAU
JUL 14 1904
FILED

...ered by the Chief Clerk's Office, July 9, 1904, 9:30 a.m.

TELEGRAM RECEIVED IN CIPHER.

Dated July 9, 1904, 7:15 a.m.

Secretary of State,

Washington.

Have sealigned Arnota Shanghai as Deputy.

C.D.W.S.R.

Rec'd the Chief Clerk's Office July 9, 1904, 9:35 a.m.

File

No. 1656.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

File

July 9th, 1904.

REC'D. AUG 19 1904 DEPT. OF STATE

Mr. Conger to the

Secretary of State.

Subject: Mr. Cheshire temporarily assigned to Nanking.

Confirming Legation telegram of this date.

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No. 1656.

July 8th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Mr. Chanchite temporarily assigned to Nanking.

Confirming Legation telegram of this date.

Enc.

No. 1656.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of to-day as follows:

Secstate, Washington.

Ninth. Cheshire assigned Nanking during Martin's absence. Starts to-day.

(Signed) Conger.

In order to avoid the necessity of placing our interests in the hands of a Consul of another nation at Nanking, I have thought best to make this temporary assignment for Mr. Cheshire.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 15.

July 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of to-day as follows:

Secretate, Washington.

Ninth. Cheshire assigned Nanking during Martin's absence. Starts to-day.

(Signed) Conger.

In order to avoid the necessity of placing our interests in the hands of a Consul of another nation at Nanking, I have thought best to make this temporary assignment for Mr. Cheshire.

I have the honor to be, Sir,

Your obedient servant,

No. 1657.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

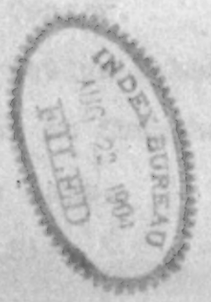


July 9th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Mr. Arnold assigned as Deputy Consul General at Shanghai. Confirming Mr. Loomis' telegram received July 9th, and Legation telegraphic reply of the same date.



No. 1227.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN CHINA.

July 9th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Mr. Arnold assigned as Deputy Consul General at Shanghai. Confirming Mr. Loomis' telegram received July 9th, and Legation telegraphic reply of the same date.

No. 1657.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm telegram from Mr. Loomis, as follows:

Washington---------

American Minister, Peking.

If Arnold can be spared assign him Shanghai as Deputy. Answer.

(Signed) Loomis.

and my reply of to-day, as follows:

Secstate, Washington.

Ninth. Have assigned Arnold Shanghai as Deputy.

(Signed) Conger.

In accordance with this instruction I have assigned Mr. Arnold as Deputy Consul General at Shanghai, to which place he will proceed within a few days.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 15.

DESPATCH OF THE UNITED STATES MINISTER.

July 6th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm telegram from Mr. Loomis, as follows:

Washington----------

American Minister, Peking.

If Arnold can be spared assign him Shanghai as Deputy.

Answer.

(Signed) Loomis.

and my reply of to-day, as follows:

Secretary, Washington.

Ninth. Have assigned Arnold Shanghai as Deputy.

(Signed) Conger.

In accordance with this instruction I have assigned Mr. Arnold as Deputy Consul General at Shanghai, to which place he will proceed within a few days.

I have the honor to be, &c.,

Your obedient servant,

ASSISTANT SECRETARY.
JUL 14 1904

TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY,
JUL 12 1904

DIPLOMATIC
JUL 14 1904
BUREAU.

From PEKING,

Received July 12, 1904, 3:35 a.m.

Answ. by tel July 15

Secretary of State,

Washington.

FOR RELS. 1904.

July 12.

Etzel case. Punishment edict issued and money paid Ragsdale to be transmitted to family.

C O N G E R.

INDEX BUREAU
JUL 21 1904
FILED

ered by the Chief Clerk's Office, July 12, 1904, 9:50 a.m.

July 8, 04

No. 1658.

DEP'T OF STATE AUG 19 1904 2ND ASST SECRETARY

DIPLOMATIC BUREAU

Acc. as may be necessary - ada

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

INDEX BUREAU REGD. AUG 19 1904 DEPT. OF STATE

July 12th, 1904.

Cable sent Peking answered by Mr Hoacth on August 20, 1904.

Mr. Conger to the

Secretary of State.

DIPLOMATIC AUG 20 1904 BUREAU

Subject: The assignment of Mr. Haskins as Assistant Chinese Secretary. Question about salary drafts. Permanent appointment recommended.

INDEX BUREAU OCT 5 1904 FILED

CHIEF CLERK,
AUG 19 1904
Department of State

July 12th, 1904.

To Consul to the
Secretary of State.

Subject: The assignment of Mr. Hawkins as Asst Consul
Chinese Secretary. Question again salary drawn.
Permanent appointment recommended.

No. 1658.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1552 of March 26th last, reporting the assignment of Mr. Haskins as Assistant to the Chinese Secretary, and noting the provision made in the Diplomatic and Consular appropriation bill for a salary of two thousand dollars per annum, I assume that Mr. Haskins will be entitled to compensation at this rate from July 1st, 1904.

I now write to inquire upon whom he shall make drafts for his salary; and I ask, in Mr. Haskins' interest, that I may receive reply by telegraph.

I am glad to report that Mr. Haskins is successfully and satisfactorily performing the duties of Assistant Chinese Secretary, and again recommend that he may be duly and permanently appointed to the post.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

July 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1552 of March 28th last, reporting the assignment of Mr. Hawkins as Assistant to the Chinese Secretary, and noting the provision made in the Diplomatic and Consular appropriation bill for a salary of two thousand dollars per annum, I assume that Mr. Hawkins will be entitled to compensation at this rate from July 1st, 1904.

I now write to inquire upon which he shall make drafts for his salary, and I ask, in Mr. Hawkins' interest, that I may receive reply by telegraph.

I am glad to report that Mr. Hawkins is successfully and satisfactorily performing the duties of Assistant Chinese Secretary, and again recommend that he may be duly and permanently appointed to the post.

I have the honor to be, Sir,

Your obedient servant,

No. 1659.

DEPT OF STATE AUG 19 1904 2ND ASST SECRETARY

DIPLOMATIC BUREAU

Ack, expressing satisfaction at the closing of the incident -

ack

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

INDEX BUREAU REC'D. AUG 19 1904 DEPT. OF STATE

July 13th, 1904.

Mr. Conger to the

Secretary of State.

Aug 23

DIPLOMATIC AUG 20 1904 BUREAU

Subject: The killing of Lewis L. Etzel. Final settlement.
Confirming Department telegram of July 8th.

FOR RELS. 1904.

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CHIEF CLERK, AUG 19 1904 Department of State.

No. 1259.

July 13th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The killing of Lewis L. Steel. Final settlement.

Confirming Department telegram of July 8th.

No. 1659.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your telegram of the 8th instant, as follows:

Conger, Peking.

Accept proposal of Chinese Government in Etzel case as stated in your cable of fifth instant.

(Signed) Hay.

I enclose copies of notes exchanged with the Foreign Office since.

Consul General Ragsdale informs me that the money has already been paid to him, and he has remitted it to the Department of State to be paid over to the family.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures;

1. H.E. Lien-fang to Mr. Conger, July 3rd, 1904.
2. Mr. Conger to Prince Ch'ing, July 6th, 1904.
3. Mr. Conger to Prince Ch'ing, July 9th, 1904.
4. Prince Ch'ing to Mr. Conger, July 11th, 1904.

No. 1659.

July 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your telegram of the 8th instant, as follows:

Conger, Peking.

Accept proposal of Chinese Government in Wisal case as stated in your cable of fifth instant.

(Signed) Hay.

I enclose copies of notes exchanged with the Foreign Office since.

Consul General Hagedale informs me that the money has already been paid to him, and he has remitted it to the Department of State to be paid over to the family.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. H.E. Lien-fang to Mr. Conger, July 3rd, 1904.
2. Mr. Conger to Prince Ch'ing, July 6th, 1904.
3. Mr. Conger to Prince Ch'ing, July 9th, 1904.
4. Prince Ch'ing to Mr. Conger, July 11th, 1904.

Enclosure No./ In Despatch No. 1659

H. E. Lien-fang to Mr. Conger.

I have the honor to address Your Excellency on the subject of our conversation yesterday, the case of the killing of the American, Mr. Lewis L. Etzel, in settlement of which it was proposed that the district Commander, Chu Ch'ing-lan, should be cashiered, and the Corporal, P'an Tse, should be cashiered and imprisoned for five years, and that a payment of twenty-five Thousand Dragon Dollars should be made to the family of Mr. Etzel by way of indemnity. This proposal I reported to the Prince of Ch'ing, who has agreed to it.

The Board of Foreign Affairs has telegraphed to the Superintendent of Trade for the North, directing him to memorialize and take action accordingly and to pay the indemnity mentioned to the United States Consul at Tientsin to be receipted for by him and by him forwarded. On receiving a reply from the Superintendent of Trade for the North, I shall communicate with Your Excellency again. In the meantime, as in duty bound, I send this note for Your Excellency's information and that it may serve to settle the case.

I avail myself of the opportunity to wish you the compliments of the day.

Card enclosed.

Fifth Moon 20th day. (July 3rd, 1904).

Enclosure No.1 In Despatch No. 1659

H. E. Lien-fang to Mr. Conger.

I have the honor to address Your Excellency on the subject of our conversation yesterday, the case of the killing of the American, Mr. Lewis L. Ritzel, in settlement of which it was proposed that the district Commander, Chu Ch'ing-lan, should be cashiered, and the Corporal, P'an Tse, should be cashiered and imprisoned for five years, and that a payment of twenty-five Thousand Dragon Dollars should be made to the family of Mr. Ritzel by way of indemnity. This proposal I reported to the Prince of Ch'ing, who has agreed to it.

The Board of Foreign Affairs has telegraphed to the Superintendent of Trade for the North, directing him to memorialize and take action accordingly and to pay the indemnity mentioned to the United States Consul at Tientsin to be receipted for by him and by him forwarded. On receiving a reply from the Superintendent of Trade for the North, I shall communicate with Your Excellency again. In the meantime, as in duty bound, I send this note for Your Excellency's information and that it may serve to settle the case.

I avail myself of the opportunity to wish you the compliments of the day.

Card enclosed.

Fifth Moon 20th day. (July 3rd, 1904).

Enclosure No. 2 In Despatch No. 1659.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 6th, 1904.

Your Imperial Highness:

I have the honor to state that I have received a communication from His Excellency, Lien-fang, Minister of the Board of Foreign Affairs, saying that Your Imperial Highness had agreed to the proposition of settlement of the Etzel case as proposed to me by him on the day previous. H.E. proposed that the District Commander, Chu Ch'ing-lan, should be cashiered, and the Corporal, P'an Tse, should be cashiered and imprisoned for five years, and that a payment of Twenty-five Thousand Dragon Dollars should be made to the family of Mr. Etzel by way of indemnity. His Excellency Lien-fang informs me in his letter that the Board of Foreign Affairs had telegraphed to the Superintendent of Trade for the North, directing him to memorialize and take action accordingly and to pay the indemnity mentioned to the United States Consul at Tientsin to be received and forwarded by him.

I have the honor to state that upon the receipt of this letter I at once telegraphed the facts to the Department of State that they might consider the matter and send me instructions. I recommend that this manner of settling the case be accepted, and as soon as I have received a reply to my telegram I shall communicate again with Your Imperial Highness, in the hope that we may be able to settle the case up finally and satisfactorily without delay.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,
U. S. Minister.

To His Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 7 In Despatch No. 165.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 6th, 1904.

Your Imperial Highness:

I have the honor to state that I have received a communication from His Excellency, Lien-fang, Minister of the Board of Foreign Affairs, saying that Your Imperial Highness had agreed to the proposition of settlement of the Estael case as proposed to me by him on the day previous. H.E. proposed that the District Commander, Chu Ch'ing-lan, should be cashiered, and the Corporal, P'an Tse, should be cashiered and imprisoned for five years, and that a payment of Twenty-five Thousand Dollars should be made to the family of Mr. Estael by way of indemnity. His Excellency Lien-fang informs me in his letter that the Board of Foreign Affairs had telegraphed to the Superintendent of Trade for the North, directing him to memorialize and take action accordingly and to pay the indemnity mentioned to the United States Consul at Tientsin to be received and forwarded by him.

I have the honor to state that upon the receipt of this letter I at once telegraphed the facts to the Department of State that they might consider the matter and send me instructions. I recommend that this manner of settling the case be accepted, and as soon as I have received a reply to my telegram I shall communicate again with Your Imperial Highness, in the hope that we may be able to settle the case up finally and satisfactorily without delay.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration,

(Signed) E. H. Conger,
U. S. Minister.

To His Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 5 In Despatch No. 1659

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 9th, 1904.

Your Imperial Highness:

With reference to the proposal of the Chinese Government to settle the case of the killing, by Chinese soldiers, of the American citizen, Mr. Lewis Etzel, at T'ien Chuang T'ai, I have the honor to inform Your Imperial Highness that I at once telegraphed the proposal to my Government, and have now received a reply saying that such a proposal will be accepted as a satisfactory settlement.

The proposal as accepted is that the District Commander Chu Ch'ing-lan shall be cashiered, the Corporal Pan Ts'e cashiered and imprisoned for five years, and that an indemnity of Twenty-five Thousand Dollars ($25,000.00) Mexican shall be paid to the United States Consul General at Tientsin to be, by him, receipted for, and forwarded to the family of Mr. Etzel; the punishment to be carried out and the indemnity paid at once.

The prompt and satisfactory settlement of this unfortunate case is a matter of mutual gratification, and I wish tto thank Your Imperial Highness for the friendly part you have taken therein.

If Your Highness will kindly forward to me a copy of the Imperial Edict, when it is published, which decrees the above mentioned punishment, I shall be obliged.

I improve the occasion to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and
Minister Plenipotentiary
of the United States.

To His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 5 In Despatch No. 165.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 9th, 1904.

Your Imperial Highness:

With reference to the proposal of the Chinese Government to settle the case of the killing, by Chinese soldiers, of the American citizen, Mr. Lewis Ritzel, at T'ien Chuang T'ai, I have the honor to inform Your Imperial Highness that I at once telegraphed the proposal to my Government, and have now received a reply saying that such a proposal will be accepted as a satisfactory settlement.

The proposal as accepted is that the District Commander Chu Ch'ing-lan shall be cashiered, the Corporal Pan Te's cashiered and imprisoned for five years, and that an indemnity of Twenty-five Thousand Dollars ($25,000.00) Mexican shall be paid to the United States Consul General at Tientsin to be, by him, receipted for, and forwarded to the family of Mr. Ritzel; the punishment to be carried out and the indemnity paid at once.

The prompt and satisfactory of this unfortunate case is a matter of mutual gratification, and I wish tto thank Your Imperial Highness for the friendly part you have taken therein.

If Your Highness will kindly forward to me a copy of the Imperial Edict, when it is published, which decrees the above mentioned punishment, I shall be obliged.

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(Signed) E. H. Conger,

Envoy Extraordinary and
Minister Plenipotentiary
of the United States.

To His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 4 In Despatch No. 1659.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt of Your Excellency's letter of the 9th instant in which you say:

"With reference to the proposal of the Chinese Government to settle the case of the killing, by Chinese soldiers, of the American citizen, Mr. Lewis Etzel, at T'ien Chuang T'ai, I have the honor to inform Your Imperial Highness that I at once telegraphed the proposal to my Government and have received a reply saying that such proposal will be accepted as a satisfactory settlement.*********The punishment to be carried out and the indemnity paid at once. The prompt and satisfactory settlement of this unfortunate case is a matter of mutual gratification* * * *. If Your Highness will kindly forward me a copy of the Imperial Edict, which decrees the punishments, I shall be obliged."

I have the honor to state that on the 10th inst. the Superintendent of Northern Trade, together with the Tartar General of Shengking, and the Department Magistrate of Mukden, memorialized the Throne, and upon the same day they received an Edict from the Throne saying: "The memorial of Tseng Ch'i and others has been carefully perused, and let the Sub-prefect in command of the garrison, Chu Ch'ing-lan by name, ~~should~~ be cashiered at once; also let the Corporal P'an Tse ~~should~~ be cashiered and imprisoned for five years.

The accidental killing of this American citizen, Mr. Etzel, was a most unfortunate affair, and the family shall be indemnified as proposed."

"Respect this."

My Board at once gave instructions that this Edict should be respectfully obeyed, and as a result we have received

Enclosure No. 4, In Despatch No. 1657.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt of Your Excellency's letter of the 9th instant in which you say:

"With reference to the proposal of the Chinese Government to settle the case of the killing, by Chinese soldiers, of the American citizen, Mr. Lewis Ktzel, at T'ien Chwang T'ai, I have the honor to inform Your Imperial Highness that I at once telegraphed the proposal to my Government and have received a reply saying that such proposal will be accepted as a satisfactory settlement. ****The punishment to be carried out and the indemnity paid at once. The prompt and satisfactory settlement of this unfortunate case is a matter of mutual gratification." * * If Your Highness will kindly forward me a copy of the Imperial Edict, which decrees the punishments, I shall be obliged."

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The accidental killing of this American citizen, Mr. Ktzel, was a most unfortunate affair, and the family shall be indemnified as proposed.

"Respect this."

My Board at once gave instructions that this Edict should be respectfully obeyed, and as a result we have received

ceived from the Superintendent of Northern Trade, a telegram saying that the Twenty-five Thousand Dragon Dollars ($25,000.00 Mexican), being the amount of the indemnity decided upon in the Etzel case, had already been paid over personally to the United States Consul at Tientsin by a deputy, and had been counted and received by him, and a receipt given.

It therefore becomes my duty to write and inform Your Excellency of the matter that you may transmit the information to the Department of State, and close up the case.

I avail myself of the opportunity to wish Your Excellency the compliments of the season.

Cards enclosed.

Fifth Moon, 28th Day. (July 11th 1904).

ceived from the Superintendent of Northern Trade, a tele-
gram saying that the Twenty-five Thousand Dragon Dollars
($25,000.00 Mexican), being the amount of the indemnity
decided upon in the Kteel case, had already been paid over
personally to the United States Consul at Tientsin by a repu-
deputy, and had been counted and received by him, and a
receipt given.

It therefore becomes my duty to write and inform
Your Excellency of the matter that you may transmit the in-
formation to the Department of State, and close up the case.

I avail myself of the opportunity to wish Your Ex-
cellency the compliments of the season.

Cards enclosed.

Fifth Moon, 28th Day. (July 11th 1904).

No. 1660.

DEP'T OF STATE AUG 19 1904 2ND ASST SECRETARY

DIPLOMATIC BUREAU

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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RECEIVED. AUG 20 1904 BUREAU OF ACCOUNTS, DEP. OF STATE

July 14th, 1904.

Mr. Conger to the
Secretary of State.

Bur. of Accts. Aug. 22. 04
Ack. by cable aug 20
Confirmed Aug. 22,

Subject: The proposed Artesian Well for the New Legation. Referring to Department Instruction No. 793 of April 30th. Difficulty in finding anyone to do the work at a proper price. Japanese shallow wells in Peking. Such a well recommended. Its cost. Request for approval by telegraph.

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DIPLOMATIC AUG 20 1904 BUREAU

CHIEF CLERK,
AUG 19 1904
Department of State.

No. 1600.

July 14th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The proposed Artesian Well for the New Legation.

Referring to Department Instruction No. 793 of April 30th. Difficulty in finding anyone to do the work at a cheaper price. Expenses similar wells in Peking. Such a well recommended. Its cost. Request for approval by telegraph.

No. 1660.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to Department Instruction No. 793, of April 30th, in regard to an artesian well for the new Legation, I have to report that I am unable to find anyone in China who can undertake the work.

Through the efforts of Consul Martin machinery was purchased in the United States by the Chinese Authorities at Nanking, and an expert brought out who is at present sinking a well there; but satisfactory arrangements cannot be made with them for work in Peking.

I have made inquiry through Governor Wright, of the Philippines, who informs me that he can find but one man who will undertake such a contract. His terms are $9.00 gold per foot, we to furnish the casing and coal. This would make the total cost not less than $11.50 gold per foot. This, of course, would make the cost of the well far beyond the amount appropriated by Congress for this purpose.

The Japanese have bored a number of shallow wells in Peking, the deepest 250 feet, and have procured a plentiful supply of very good water; but with their crude machinery they cannot bore more than three hundred feet, nor a greater diameter than 3 1/2 inches. Their wells so far have been cased with bamboo.

I now have a proposition from one of them to dig a well 3 1/2 feet in diameter, and thirty-five feet deep for a galvanized iron tank of this size, and from the bottom of this to bore three hundred feet and place there-

in

No. 1210.

July 14th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to Department Instruction No. 793, of April 30th, in regard to an artesian well for the new Legation, I have to report that I am unable to find anyone in Chinan who can undertake the work.

Through the efforts of Consul Martin machinery was purchased in the United States by the Chinese Authorities at Nanking, and an expert brought out who is at present sinking a well there; but satisfactory arrangements cannot be made with them for work in Peking.

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The Japanese have bored a number of shallow wells in Peking, the deepest 250 feet, and have procured a plentiful supply of very good water; but with their crude machinery they cannot bore more than three hundred feet, nor a greater diameter than 3 1/2 inches. Their wells so far have been cased with bamboo.

I now have a proposition from one of them to dig a well 3 1/2 feet in diameter, and thirty-five feet deep for a galvanized iron tank of this size, and from the bottom of this to bore three hundred feet and place therein

in three inch iron pipe, making a total depth below the surface of 335 feet; we to furnish tank and pipe, and he doing all the work for $1,800.00 Mexican. Mr. Healy estimates that this, with the cost of tank, pipe, and suitable pump would make the well cost not more than $3,000.00 Mexican.

While this would by no means equal in any way a larger, deeper, and possibly flowing well; yet relying upon the experience of others here, it is reasonably certain that this would give us a sufficient supply, and, at that depth, there ought to be no possible danger of surface contamination.

Under these circumstances I recommend that such a well be made. If, later, good well machinery should be imported hither, one could probably be sunk then at much more reasonable figures.

If you approve please telegraph me so that the work can be done this season.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

in three inch iron pipe, making a total depth below the surface of 550 feet; we to furnish tank and pipe, and be doing all the work for $1,800.00 cash. Mr. Healy estimates that this, with the cost of tank, pipe, and suitable pump would make the well cost not more than $2,000.00 besides.

While this would by no means equal in any way a larger, deeper, and possibly flowing well, yet relying upon the experience of others here, it is reasonably certain that this would give us a sufficient supply, and at that depth there ought to be no possible danger of surface contamination.

Under these circumstances I recommend that such a well be made. If, later, good well machinery should be imported either, one could probably be sunk then at much more reasonable figures.

If you approve please telegraph me so that the work can be done this season.

I have the honor to be, Sir,

Your obedient servant,

No. 1661.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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July 15th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The new Legation Buildings. Transmitting account for expenditures from April 1st to June 30th. Architect's report and copies of contracts.

Referring to No. 1563 of April 5th.

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No. 1603.

LEGATION OF THE UNITED STATES OF MEXICO,

Mexico City,

July 14th, 1904.

Mr. Cooper to ——

Secretary of State.

Subject: The new Legation Building. Transmitting account for expenditures from April 1st to June 30th. Architect's report and copies of contracts.

Referring to No. 1583 of April 5th.

No. 1661.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 15th, 1904.

to the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1563, of April 5th, 1904, I have the honor to enclose account for expenditures on the new Legation buildings from April 1st to June 30th, inclusive, together with a copy of Mr. Nealy's detailed report showing the present condition, progress, and prospects of the work.

I also enclose copies of the contracts of Sun Chien Chang for brick, and of L. Marzoli for stone, mentioned by Mr. Nealy.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. New Legation Account.
2. Mr. Nealy to Mr. Conger, June 30th, 1904.
3. Contract with Sun Chien Chang.
4. Contract with L. Marzoli.

Recd, Bu. Accts.

No. 1644.

July 15th, 1904.

to the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1563, of April 8th, 1904, I have the honor to enclose account for expenditures on the new Legation buildings from April 1st to June 30th, inclusive, together with a copy of Mr. Neely's detailed report showing the present condition, progress, and prospects of the work.

I also enclose copies of the contracts of Sun Chien Chang for brick, and of L. Marcoli for stone, mentioned by Mr. Neely.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. New Legation Account.
2. Mr. Neely to Mr. Conger, June 30th, 1904.
3. Contract with Sun Chien Chang.
4. Contract with L. Marcoli.

Enclosure No. 2 In Despatch No. 1661

Mr. Nealy to Mr. Conger.

Peking, June 30, 1904.

Hon. E. H. Conger,

United States Minister.

Sir:

Supplementing my report of March 30, 1904, I have the honor to state that the work of erecting the new Legation buildings under my charge has reached the following state:

The main building, or Minister's residence, is up to the top of first story lintels, with half the structural steel work in place, and brick-work temporarily suspended awaiting carving of large stones for main entrance.

First Secretary's house will be under roof sheathing in about a week.

Chinese Secretary's house has reached the second story window sills.

Second Secretary's house has reached the second floor.

Chancery has also reached the second story window sills.

This, of course, refers to masonry walls only, with the floor joists in place.

I estimate that the four smaller buildings will be under roof by the last of July, and the Minister's residence roofed by August 30th. The interim between those dates and the time for the arrival of the roof covering, namely, September 15th, will be filled in by placing all wood partitions, rough-flooring, and other carpenter work.

The corner stone of the main building, representing all, was laid in the presence of a majority of the American residents April 19th. The ceremonies consisted of a prayer by Doctor Lowry of the Methodist Mission; remarks

by

Enclosure No. 2 In Despatch No. /661/

Mr. Neely to Mr. Conger.

Peking, June 30, 1904.

Hon. E. H. Conger,

United States Minister.

Sir:

Supplementing my report of March 30, 1904, I have the honor to state that the work of erecting the new Legation buildings under my charge has reached the following state:

The main building, or Minister's residence, is up to the top of first story lintels, with half the structural steel work in place, and brick-work temporarily suspended awaiting carving of large stones for main entrance.

First Secretary's house will be under roof sheathing in about a week.

Chinese Secretary's house has reached the second story window sills.

Second Secretary's house has reached the second floor.

Chancery has also reached the second story window sills.

This, of course, refers to masonry walls only, with the floor joists in place.

I estimate that the four smaller buildings will be under roof by the last of July, and the Minister's residence roofed by August 30th. The interim between those dates and the time for the arrival of the roof covering, namely, September 15th, will be filled in by placing all wood partitions, rough-flooring, and other carpenter work.

The corner stone of the main building, representing all, was laid in the presence of a majority of the American residents April 19th. The ceremonies consisted of a prayer by Doctor Lowry of the Methodist Mission; remarks

by

by the Architect inviting Mrs. Conger to lay the corner stone; an address by Minister Conger; setting of the corner stone by Mrs. Conger, and a benediction by Dr. Sheffield.

Through the courtesy of Capt. Brewster the entire Legation Guard was present in full dress uniform.

Under the contract with Kao-lin, three deliveries of sand have been made to date at a cost of $2,017.60(Mex), and under the Saito contract two deliveries of lime at a cost of #793.50 (Mex).

Carpenter work under the contract with Chang Shen, for April, May and June, has cost $678.79 (Mex.)

Salary of Interpreter to Architect, watchmen's wages, and cost of day labor, April, May and June has amounted to $426.25(Mex.)

Additional wrought iron stirrups, joist anchors, and ternplates for cutting stone, April 1st to date, have cost $267.50 (Mex.)

The last delivery of brick under the contract with Yang huan Chen ~~Tang Fu-hsuan~~ was completed May 11th, when the final payment of $1,489.25 was made.

Fifty barrels of Green Island Cement were ordered from Jardine, Matheson & Co., Tientsin, on June 4th, costing $379.00.

It was found that the brick furnished under the ~~Tang~~ Yang huan Chen ~~Tai-hsuan~~ contract of Jan 5th would be insufficient for completing the main buildings, together with all servants' quarters and chair-house, and bids were invited for furnishing 300,000 Taa Kai-tio brick. Seven bids were secured, the lowest being that of Sun Chien-chang for $13.60(Mex.) per M. This bid was accepted and delivery of brick completed June 30th.

The Marzoli contract for stone, over six months overdue, was completed June 21st, and the final payment of

$2,372.91(Mex)

by the Architect inviting Mrs. Conger to lay the corner stone; an address by Minister Conger; setting of the corner stone by Mrs. Conger, and a benediction by Dr. Sheffield.

Through the courtesy of Capt. Brewster the entire Legation Guard was present in full dress uniform.

Under the contract with Kao-Lin, three deliveries of sand have been made to date at a cost of $2,017.60(Mex), and under the Saito contract two deliveries of lime at a cost of $793.50 (Mex).

Carpenter work under the contract with Chang Shen, for April, May and June, has cost $678.75 (Mex.)

Salary of Interpreter to Architect, watchman's wages, and cost of day labor, April, May and June has amounted to $426.85(Mex.)

Additional wrought iron, stirrups, joist anchors, and templates for cutting stone, April 1st to date, have cost $207.50 (Mex.)

The last delivery of brick under the contract with Yang Kuan Chen was completed May 11th, when the final payment of $1,89.25 was made.

Fifty barrels of Green Island Cement were ordered from Jardine, Matheson & Co., Tientsin, on June 4th, costing $279.00.

It was found that the brick furnished under the Yang Kuan Chen contract of July 8th would be insufficient for completing the main buildings, together with all servants' quarters and chair-house, and bids were invited for furnishing 300,000 Tsa Kai-tio brick. Seven bids were secured, the lowest being that of Sun Chien-cheng for $13.60(Mex.) per M. This bid was accepted and delivery of brick completed June 30th.

The Marzolf contract for stone, over six months overdue, was completed June 21st, and the final payment of $2,372.91(Mex)

$2,372.91(Mex.) made.

Since notice was received from the Department of State that an additional sum of $50,000.00 had been appropriated by Congress for the completion of buildings and a water supply, I have made working drawings of the gate house and stables, and on June 21 an extension of the Marzoli contract was made for furnishing all granite to be used in the these buildings and in the approaches, including a few stones for the main buildings spoiled in the cutting. Contracts for other materials and labor for these buildings will shortly be made and the work of building begun.

It is found, after communicating with Consul Martin of Nanking and Governor Wright of the Philippines,--the former having brought machinery and materials from the United States for the use of the Chinese Government at Nanking, and the latter consulted with reference to machinery, etc., in the Philippines--that the cost of transporting machinery, together with the cost of pipe with its accompanying heavy freight rate would involve too much of the additional money appropriated for the completion of the work here. It is doubtful if the consent of the Chinese Government could be obtained for using the Nanking machinery.

The lowest and only rate submitted by well borers in the Philippines through Governor Wright was $9.00 (gold) per foot for entire boring. The importation of machinery, pipe, expert laborers, etc., from the United States, in accordance with suggestions made by the American Oil Well Supply Co. and others, through the State Department, would cost so much as to make this scheme prohibitive.

The only feasible plan seems to be that of having a well of less depth than originally proposed bored by Japanese contractors in Peking. This machinery has a capacity for boring to a maximum depth of 350 feet. But as excell-

ent

378.91(Mex.) made.

Since notice was received from the Department of State that an additional sum of $50,000.00 had been appropriated by Congress for the completion of buildings and a water supply, I have made working drawings of the gate houses and stables, and on June 21 an extension of the Metcalf contract was made for furnishing all granite to be used in these buildings and in the approaches, including a few stones for the main buildings spoiled in the cutting. Contracts for other materials and labor for these buildings will shortly be made and the work of building begun.

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The only feasible plan seems to be that of having a well of less depth than originally proposed bored by Japanese contractors in Peking. This machinery has a capacity for boring to a maximum depth of 350 feet. But as excell-

ent

ent water--though not a flowing well--has in this way been obtained at the Methodist Mission here at 210 feet depth, it seems to recommend itself as the only way out of the difficulty.

J. Miyai, a Japanese well contractor of this City, submits a proposal for digging a well 35 feet deep, 3 1/2 feet diameter for the reception of the necessary water tank, and from the bottom of this to bore a well 300 feet deep for a 3 1/2 inch pipe, the whole cost of labor $1,800.0 Mex.

The cost of the necessary piping, Screens, Couplings, a suitable force pump, and all the adjuncts I estimate will cost in America, delivered at steamer San Francisco, $280.00 (Gold). To this must be added about $100.00(gold) freightage.

The tank can be made here and will cost about $400.00 (Mex), bringing the total cost of well complete to about $3,000.00 (Mex.).

Good drinking water has and can be obtained at 300 feet depth,(though a flowing well cannot be hoped for), and I recommend in view of the utter impossibility of getting machinery here for a deeper well that a well of Japanese boring be contracted for.

In my request of March 30 I included in the contract with the Warren Mfg. Co. "all glass." At that time we had received Warren's bid by cable only. Glass had been specified among the other items upon which we had requested Mr. Roberts, Superintendent of Construction U.S.Public Building, San Francisco, to obtain bids, and we accepted the Warren bid under the presumption that everything was included. When that Company's written bid was received by mail, however, , it was found that Mr. Roberts had inadvertantly omitted glass in his circular letter asking bids.

ent water--though not a flowing well--has in this way been obtained at the Methodist Mission at 210 feet depth, it seems to recommend itself as the only way out of the difficulty.

J. Miyai, a Japanese well contractor of this City, submits a proposal for digging a well 35 feet deep, 3 1/2 feet diameter for the reception of the necessary water tank, and from the bottom of this to bore a well 300 feet deep for a 3 1/2 inch pipe, the whole cost of labor $1,800.0 Mex.

The cost of the necessary piping, Screens, Couplings, a suitable force pump, and all the adjuncts I estimate will cost in America, delivered at steamer San Francisco, $300.00 (Gold). To this must be added about $100.00(gold) freightage.

The tank can be made here and will cost about $400.00 (Mex), bringing the total cost of well complete to about $3,000.00 (Mex.)

Good drinking water has and can be obtained at 300 feet depth,(though a flowing well cannot be hoped for), and I recommend in view of the water impossibility of getting machinery here for a deeper well that a well of Japanese boring be contracted for.

In my request of March 30 I included in the contract with the Warren Mfg. Co. "all glass." At that time we had received Warren's bid by cable only. Glass had been specified among the other items upon which we had requested Mr. Roberts, Superintendent of Construction U.S.Public Buildings, San Francisco, to obtain bids, and we accepted the Warren bid under the presumption that everything was included. When that Company's written bid was received by mail, however, it was found that Mr. Roberts had inadvertently omitted glass in his circular letter making bids.

bids. This item will therefore have to be included in the general interior finish which bids have been advertised for in the leading trade journals of several of the largest Western Cities of the United States.

I have the honor to be, Sir,

Very respectfully,

Sid H. Healy
Archt. in Chg.

bids. This item will therefore have to be included in the general interior finish which bids have been advertised for in the leading trade journals of several of the largest Western Cities of the United States.

I have the honor to be, Sir,

Very respectfully,

Copy to Conger June 19/05

Enclosure No. 5 In Despatch No. 1661

This agreement entered into between Hon. E. H. Conger, representing the United States Government, and Sun Chien Chang, Chinese Contractor, this seventh day of June, 1904, is in effect as follows:

Sun Chien Chang agrees to furnish, for use in the construction of the United States Legation buildings, Three hundred thousand Taa Kai-tie brick as per sample, as follows: not less than five thousand bricks per day to be delivered until the completion of delivery of entire number. Bricks are to be sound, serviceable brick, with not over six broken brick in one hundred.

Upon the part of the United States Government it is agreed that said Sun Chien Chang shall receive $13.60 (Mexican) (Thirteen and 60/100) per thousand, payable upon delivery of every ten thousand after the first ten thousand; the entire amount due to be paid on last delivery.

(Signed) E. H. Conger.

(Signed) Sun Chien Chang.

Enclosure No. 5 In Despatch No. 165.

This agreement entered into between Hon. E. H. Conger, representing the United States Government, and Sun Chien Chang, Chinese Contractor, this seventh day of June, 1904, is in effect as follows:

Sun Chien Chang agrees to furnish, for use in the construction of the United States Legation buildings, Three hundred thousand Tan Kai-tio brick as per sample, as follows: not less than five thousand bricks per day to be delivered until the completion of delivery of entire number. Bricks are to be sound, serviceable brick, with not over six broken brick in one hundred.

Upon the part of the United States Government it is agreed that said Sun Chien Chang shall receive $13.60 (Mexican) (Thirteen and 60/100) per thousand, payable upon delivery of every ten thousand after the first ten thousand; the entire amount due to be paid on last delivery.

(Signed) E. H. Conger.

(Signed) Sun Chien Chang.

Copy to Amb June 19/05

Enclosure No.4 In Despatch No.1661

AGREEMENT and contract entered into this 21st day of June, 1904, in Peking, China, between Hon. E. H. Conger, American Minister, representing the Government of the United States, and L. Marzoli, Contractor.

Said L. Marzoli contracts to furnish for use in the construction of the buildings of the new American Legation, granite stone from the same quarry from which former supplies were furnished, of uniform color, and free from defects considered serious by the Architect in charge, to the amount of one thousand cubic feet, more or less.

That delivery of such stone shall commence July 15th, and be completed August 15th, 1904. All stone to be delivered at such points as shall be designated by the Architect in the new U. S. Legation compound, free from all charges to the Government of the United States for cartage, freightage, or any other charges whatsoever, except the sum hereinafter specified.

Contractor further agrees that stone delivered shall be of size called for by the Architect's schedule as nearly as possible, and of dimensions given in the schedule.

Contractor further agrees that all stone furnished shall be of quality equal to the sample submitted by him before entering upon his former contract for granite with the United States Government, now in the hands of the Architect in charge.

Upon the part of the United States Government it is agreed that L. Marzoli shall receive for all such stone furnished payment therefor(including all stone, and charges of quarrying same, freightage, cartage, and all other expenses whatsoever) at the rate of Twenty-seven (Mexican) dollars and fifty cents($27.50)per cubic yard, payable on completion of contract.

It is agreed by the United States Government that the schedule

Enclosure No. 4 In Despatch No. 166

AGREEMENT and contract entered into this 21st day of June, 1904, in Peking, China, between Hon. E. H. Conger, American Minister, representing the Government of the United States, and I. Marcoli, Contractor.

Said I. Marcoli contracts to furnish for use in the construction of the buildings of the new American Legation, granite stone from the same quarry from which former supplies were furnished, of uniform color, and free from defects considered serious by the Architect in charge, to the amount of one thousand cubic feet, more or less.

That delivery of such stone shall commence July 15th, and be completed August 15th, 1904. All stone to be delivered at such points as shall be designated by the Architect in the new U. S. Legation compound, free from all charges to the Government of the United States for cartage, freightage, or any other charges whatsoever, except the sum hereinafter specified.

Contractor further agrees that stone delivered shall be of size called for by the Architect's schedule as nearly as possible, and of dimensions given in the schedule.

Contractor further agrees that all stone furnished shall be of quality equal to the sample submitted by him before entering upon his former contract for granite with the United States Government, now in the hands of the Architect in charge.

Upon the part of the United States Government it is agreed that I. Marcoli shall receive for all such stone furnished payment therefor (including all stone, and charges of quarrying same, freightage, cartage, and all other expenses whatsoever) at the rate of Twenty-seven (Mexican) dollars and fifty cents ($27.50) per cubic yard, payable on completion of contract.

It is agreed by the United States Government that the schedule

schedule of stone shall be furnished contractor within one day after the signing of contract to the amount of six hundred cubic feet of stone, balance of schedule to be furnished within two weeks thereafter.

The Government of the United States acknowledges herein the receipt, from L. Marzoli, of One Thousand (Mexican) dollars as security for the prompt and faithful performance of his contract.

(Signed) E. H. Conger,

U. S. Minister.

(Signed) L. Marzoli.

schedule of atoms shall be furnished contractor within one day after the signing of contract to the amount of six hundred cubic feet of atoms, balance of schedule to be furnished within two weeks thereafter.

The Government of the United States acknowledges receipt in the receipt, from I. Marcoit, of One Thousand (Mexican) dollars as security for the prompt and faithful performance of his contract.

(Signed) E. H. Conger,

U. S. Minister.

(Signed) I. Marcoit.

No. 1662.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED. AUG 19 1904 BUR. ACCOUNTS. DEP. OF STATE.

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July 15th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Transmitting Rent Account for repairs to temporary Legation premises, from December 7th, 1903, to June 30th, 1904. Referring to No. 1471 of January 13th last.

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No. 1602.

July 15th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Transmitting Rent Account for repairs to temporary Legation premises, from December 7th, 1903, to June 30th, 1904. Referring to No. 1471 of January 13th last.

No. 1662.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1471 of January 13th last, I have the honor to transmit herewith a further account for money expended by me for repairs to the temporary Legation premises, from December 7th, 1903, to June 30th, 1904, to be charged to the Rent Account.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Account as stated.

Rec'd, Bu. Accts.

No. 1662.

July 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1471 of January 13th last, I have the honor to transmit herewith a further account for money expended by me for repairs to the temporary legation premises, from December 7th, 1903, to June 30th, 1904, to be charged to the Rent Account.

I have the honor, to be, Sir,

Your obedient servant,

Enclosure:

Account as stated.

No. 1663.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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July 16th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The killing of Lewis L. Etzel. Payment of the indemnity. Confirming Legation telegram of July 12th, and Department telegram received July 16th.

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No. 1665.

July 16th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The killing of Lewis L. Steel. Payment of the indemnity. Confirming Legation telegram of July 13th, and Department telegram received July 16th.

No. 1663.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 13th instant, and your undated one as follows:

Secstate, Washington.

Twelfth. Etzel case punishment Edict issued and money paid Ragsdale to be transmitted to the family.

(Signed) Hay.

Conger, Peking.

Etzel money should be transmitted to the Department, and not to family. So instruct Ragsdale.

(Signed) Hay.

Mr. Ragsdale had already been so instructed, and on the 11th instant he mailed a draft to the Department of State.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

July 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 12th instant, and your undated one as follows:

Secstate, Washington.

Twelfth. Ketel case punishment Mulot issued and money paid Magadala to be transmitted to the family.

(Signed) Hay.

Conger, Pekin.

Ketel money should be transmitted to the Department, and not to family. So instruct Magadala.

(Signed) Hay.

Mr. Magadala had already been so instructed, and on the 11th instant be mailed a draft to the Department of State.

I have the honor to be, Sir,

Your obedient servant,

E.H. Conger

No. 1664.

DEP'T OF STATE AUG 19 1904 2ND ASST SECRETARY

DIPLOMATIC BUREAU

Inform the inquirer, giving him the New York address of the Am China Devel. Co. Ack.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA,

July 16th, 1904.

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The engineer was Col. Reber. War Dept. and Mr. Loomis' cable of July 8, 1904, was received July 9th.

DIPLOMATIC AUG 20 1904 BUREAU

Mr. Conger to the
Secretary of State.

Subject: Whereabouts of William Reese Reber. Confirming Mr. Loomis' telegram received July 9th, and Legation reply of the same date.

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CHIEF CLERK,
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Department of State.

No. 1664.

July 18th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Whereabouts of William Reese Reber. Confirming Mr. Loomis' telegram received July 9th, and Legation reply of the same date.

No. 1664.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm telegram of no date, [July 8th] and my reply of the 9th instant, as follows:

Conger, Peking.

Do you know the whereabouts of William Reese Reber.

(Signed) Loomis.

Loomis, Washington.

Ninth. Last September Reber was in Shanghai proceeding to Canton to be employed on Canton-Hankow Railway. Have no information since.

(Signed) Conger.

Mr. Reber left Peking about September 1st of last year, and I learned soon after that Mr. Willis E. Gray, General Manager of the American-China Development Company in Shanghai, had employed him as rodman, and sent him to Canton for service in the construction of the Canton-Hankow Railway. Since then I have heard nothing from him.

I suggest that inquiry be made of Mr. Gray who has returned permanently to the United States.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1644.

July 16th, 1904.

The Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm telegram of no date, and my reply of the 9th instant, as follows:

Conger, Peking.

Do you know the whereabouts of William Reese Heber.

(Signed) Loomis.

Loomis, Washington.

Ninth. Last September Heber was in Shanghai proceeding to Canton to be employed on Canton-Hankow Railway. Have no information since.

(Signed) Conger.

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I suggest that inquiry be made of Mr. Gray who has returned permanently to the United States.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1665.

DEPT OF STATE AUG 19 1904 ASSISTANT SECRETARY

CONSULAR BUREAU
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note, ack & file.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

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July 16th, 1904.

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Mr. Conger to the
Secretary of State.

Subject: Departure of Mr. Arnold to assume the duties of Deputy Consul General at Shanghai. His qualifications.

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No. 1668.

July 16th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Departure of Mr. Arnold to assume the duties of Deputy Consul General at Shanghai. His qualifications.

No. 1665.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you that Mr. J. H. Arnold left here to-day to assume the duties of Deputy Consul General at Shanghai.

Mr. Arnold is well equipped for general Consular work, and has made such rapid progress in his study of the Chinese language that, with a little more study and practice, he will be able to do excellent work as an interpreter.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1665.

July 18th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to inform you that Mr. T. R. Arnold left here to-day to assume the duties of Deputy Consul General at Shanghai.

Mr. Arnold is well equipped for Consular work, and has made much regid progress in his study of the Chinese language that with a little more study and practice he will be able to do excellent work as an interpreter.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1666.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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Mr. Conger to the

Secretary of State.

Subject: Admission of Chinese to visit the Louisiana Purchase Exposition. Acknowledging Department Instruction No. 799 of May 21st. Correspondence with the Chinese Government on the subject.

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No. 1258.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA

July 16th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Admission of Chinese to visit the Louisiana Purchase Exposition. Acknowledging Department Instruction No. 792 of May 21st. Correspondence with the Chinese Government on the subject.

No. 1666.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 799 of May 21st, enclosing a copy of a memorandum of the Commissioner General of Immigration concerning regulations for the admission of Chinese visiting the Louisiana Purchase Exposition.

A copy of this memorandum has been transmitted to the Chinese Government in the note a copy of which I enclose; I also transmit herewith a copy of Prince Ch'ing's reply.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures;

No. 1556.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN CHINA

July 16th, 1906.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 759 of May 31st, enclosing a copy of a memorandum of the Commissioner General of Immigration concerning regulations for the admission of Chinese visiting the Louisiana Purchase Exposition.

A copy of this memorandum has been transmitted to the Chinese Government in Spanish a copy of which I enclose; I also transmit herewith a copy of Prince Ch'ing's reply.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

Enclosure No. 1 In Despatch No. 1666.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, China, July 7th, 1904.

Your Imperial Highness:

I have the honor to inform you that I have received a communication from the Department of State in regard to the difficulties alleged to be met with by Chinese exhibitors in landing at San Francisco on their way to the Louisiana Purchase Exposition. On March 15th last I wrote to the Department in regard to this matter, and enclosed a letter from Your Imperial Highness, stating that no persons who would go to the Exposition from that time on would violate the regulations, and expressing the desire that leniency would be shown in the case of those merchants who were already on their way, or who had reached the United States.

I have the honor to state that whe whole matter was referred to the Secretary of Commerce and Labor for his investigation, and that he sent in reply a full and complete statement of the whole case, which statement is enclosed herein for Your Imperial Highness' perusal. The Secretary of Commerce and Labor reports moreover, that the Department has thus far waived the deficiencies appearing in the papers of merchants and officials arriving at the port of San Francisco for the purpose mentioned and will continue to use every means in its power to facilitate the landing of Chinese persons coming to the United States either as visitors to or exhibitors at the St. Louis Exposition.

Trusting that this will make it clear to Your Imperial Highness that there is no wish on the part of my Government to interfere with the ingress of Chinese persons going to the Exposition, but on the other hand that every effort will be used to make such ingress as easy as possible, I use

ths

Enclosure No. \ In Despatch No. 1664.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, China, July 7th, 1904.

Your Imperial Highness:

I have the honor to inform you that I have received a communication from the Department of State in regard to the difficulties alleged to be met with by Chinese exhibitors in landing at San Francisco on their way to the Louisiana Purchase Exposition. On March 15th last I wrote to the Department in regard to this matter, and enclosed a letter from Your Imperial Highness, stating that no persons who would go to the Exposition from that time on would violate the regulations, and expressing the desire that leniency would be shown in the case of those merchants who were already on their way, or who had reached the United States.

I have the honor to state that the whole matter was referred to the Secretary of Commerce and Labor for his investigation, and that he sent in reply a full and complete statement of the whole case, which statement is enclosed herein for Your Imperial Highness' perusal. The Secretary of Commerce and Labor reports moreover, that the Department has thus far waived the deficiencies appearing in the papers of merchants and officials arriving at the port of San Francisco for the purpose mentioned and will continue to use every means in its power to facilitate the landing of Chinese persons coming to the United States either as visitors to or exhibitors at the St. Louis Exposition.

Trusting that this will make it clear to Your Imperial Highness that there is no wish on the part of my Government to interfere with the ingress of Chinese persons going to the Exposition, but on the other hand that every effort will be used to make such ingress as easy as possible, I use

the

the occasion to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H.Conger.

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure:

Statement of Secretary of Commerce and Labor.

Enclosure No. / In Despatch No. /666/

the occasion to renew to Your Imperial Highness the assurances of my highest consideration.

(Signed) W. W. Rockhill.

Envoy Extraordinary and
Minister Plenipotentiary
of the United States.

To His Imperial Highness, Prince of Ch'ing,
President of the Board of Affairs
Foreign

Enclosure No. / In Despatch No. /666/

Statement of Secretary of Commerce and Labor.

I have the honor to state that the whole matter was referred to the Secretary of Commerce and Labor for his investigation, and that he sent in reply a full and complete statement of the whole case, which statement is enclosed herewith for Your Imperial Highness' perusal. The Secretary of Commerce and Labor reports moreover, that the Department has thus far waived the difficulties appearing in the matters of merchants and officials arriving at the port of San Francisco for the purpose mentioned and will continue to use every means in its power to facilitate the landing of those persons coming to the United States either as visitors or exhibitors at the St. Louis Exposition.

Trusting that this will make it clear to Your Imperial Highness that there is no wish on the part of my Government to interfere with the ingress of Chinese persons going to the Exposition, but on the other hand that every effort is used to make such ingress as easy as possible, I use

the

Enclosure No.2 In Despatch No.1666

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt of Your Excellency's note forwarding a statement from the Secretary of Commerce and Labor, which you have been directed to send for my examination, and reporting that the Secretary of Commerce and Labor states that the Department has thus far waived the deficiencies appearing in the papers of merchants and officials arriving at the port of San Francisco, and will continue to use every means in its power to facilitate the landing of Chinese persons coming to the United States either as visitors or exhibitors at the St. Louis Exposition.

We, Prince and Ministers, have carefully noted the contents of your communication, which has given us great pleasure.

As in duty bound, we send Your Excellency this reply for your information, and shall be placed under obligations by your forwarding it to the Department of Commerce and Labor.

We avail ourselves of the opportunity to wish you the compliments of the day.

Cards enclosed.

Sixth Moon, 1st. Day. (July 13th, 1904).

Enclosure No.2 In Despatch No.1666

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt of Your Excellency's note forwarding a statement from the Secretary of Commerce and Labor, which you have been directed to send for my examination, and reporting that the Secretary of Commerce and Labor states that the Department has thus far waived the deficiencies appearing in the papers of merchants and officials arriving at the port of San Francisco, and will continue to use every means in its power to facilitate the landing of Chinese persons coming to the United States either as visitors or exhibitors at the St. Louis Exposition.

We, Princes and Ministers, have carefully noted the contents of your communication, which has given us great pleasure.

As in duty bound, we send Your Excellency this reply for your information, and shall be placed under obligations by your forwarding it to the Department of Commerce and Labor.

We avail ourselves of the opportunity to wish you the compliments of the day.

Cards enclosed.

Sixth Moon, 1st. Day. (July 13th, 1904).

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC BUREAU
AUG 29 1904

DEPT OF STATE
AUG 29 1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU
Ack. Mr. Conger's advice appears to be discreet.
aaa

No. 1667.

July 22, 1904

Wm. C. Nichols
Oct. 10, 1904
C.

Mr. Conger to the Secretary of State.

acknd. aug. 30

Subject:

Transmitting copy of letter to President of American Geographical Society concerning Mr. Nichols, now trying to penetrate interior of Tibet

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No. 1214

July 22, 1904

Mr. Conger to the Secretary of State.

Subject:

Transmitting copy of letter to President of American Geographical Society concerning Mr. Nicholas, now trying to penetrate interior of Tibet

No. 1667.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith a copy of a letter of this date, with its enclosure, to Captain R. E. Peary, President of the American Geographical Society, concerning the safety of Mr. Nichols, who, in the interest of the said Society, is now trying to penetrate the interior of Tibet.

To proceed at this time against the emphatic warnings of the Chinese Authorities, seems to me extremely rash.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Conger to Captain Peary, July 22nd, 1904, with enclosure.

No. 167.

July 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith a copy of a letter of this date, with its enclosure, to Captain R. E. Peary, President of the American Geographical Society, concerning the safety of Mr. Nichola, who, in the interest of the said Society, is now trying to penetrate the interior of Tibet.

To proceed at this time against the emphatic warnings of the Chinese Authorities, seems to me extremely rash.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Mr. Conger to Captain Peary, July 22nd, 1904, with enclosure.

Enclosure No.— In Despatch No. 1667

Mr. Conger to Captain Peary.

Legation of the United States of America,

Peking, July 22nd, 1904.

Captain R. E. Peary, U.S.N.,

President American Geoggaphical Society,

15 West 81st St., New York.

Sir:

Referring to my letter of April 8th last concerning Mr. Francis H. Nichols, I now have to report that on yesterday the British Minister showed me a despatch from the British Consul at Yunnan-fu, the capital of the province of the same name, which enclosed a letter from Rev. W. J. Embery, of the China Inland Mission, which is self-explanatory, and of which I hand you herewith a copy.

It shows that Mr. Nichols will be in very considerable danger if he proceeds, and that he takes great risks if he does so against the express warning of the Chinese officials, and their declaration of their inability to afford him protection.

When Mr. Nichols left here he was particularly informed by Prince Ch'ing that it was utterly impossible for the Chinese Government to afford him any protection in Tibet.

Since the march of Colonel Younghusband toward Lhassa, with its consequent battles, began,, the danger to a foreigner found anywhere in that country must be greatly increased.

The information concerning Mr. Nichols is more than a month old, and of course his present location or condition is unknown. It is to be hoped, however, that his good judgment has impelled him to act with the requisite caution.

I am, Sir,

Your obedient servant,

(Signed) E. H. Conger.

Enclosure as stated.

Enclosure No.— In Despatch No. 167

Mr. Conger to Captain Peary.

Legation of the United States of America,

Peking, July 22nd, 1904.

Captain R. E. Peary, U.S.N.,

President American Geographical Society,

15 West 81st St., New York.

Sir:

Referring to my letter of April 8th last concerning Mr. Francis H. Nichols, I now have to report that on yesterday the British Minister showed me a despatch from the British Consul at Yunnan-fu, the capital of the province of the same name, which enclosed a letter from Rev. W. I. Embery, of the China Inland Mission, which is self-explanatory, and of which I hand you herewith a copy.

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The information concerning Mr. Nichols is more than a month old, and of course his present location or condition is unknown. It is to be hoped, however, that his good judgment has impelled him to act with the requisite caution.

I am, Sir,

Your obedient servant,

(Signed) E. H. Conger.

Enclosure as stated.

Enclosure No.- In Despatch No. 1667

Enclosure in Yunnan No. 18 of June 16, 1904.

Extract.

Rev. W. J. Embery, China Inland Mission, Ta-li to Mr. Wilkinson, June 2nd, 1904.

"The Prefect and the new District Magistrate called on us a few days since with a telegram that had been received from the Officials at the Capital, who, together with the officials in the Li-Kiang District, were concerned for the safety of Mr. Nicholls(the American traveller)who, despite their exhortations, withsed wished to push on towards Thibet. They wished us to write for them a letter in English(as Mr. Nicholls does not understand Chinese and his interpreter has gone to Ta-chien-lu)stating that they could not under present circumstances absolutely guarantee his safety, should he proceed with his purpose. They urged him to return, and wished him to know it would be at his own risk, if he determined to press forward.

"We wrote a letter in accordance with the telegram, and we understand it was sent by "flying messenger.' It seems rather preposterous to think(if he does think so)he can hold the Chinese officials responsible under present conditions, even after their urging him to return, and stating their well-grounded fears as to his safety and their inability to guarantee it, even though they might wish ever so much to do it. But perhaps Mr. Nicholls will reconsider the matter."

Enclosure No.- In Despatch No. 167

Enclosure in Yunnan No. 18 of June 16, 1904.

Extract.

Rev. W. J. Embery, China Inland Mission, To-li to Mr. Wilkinson, June 2nd, 1904.

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"We wrote a letter in accordance with the telegram, and we understand it was sent by "flying messenger." It seems rather preposterous to think(if he does think so)he can hold the Chinese officials responsible under present conditions, even after their urging him to return, and stating their well-grounded fears as to his safety and their inability to guarantee it, even though they might wish ever so much to do it. But perhaps Mr. Nicholls will reconsider the matter"

The information concerning Mr. Nicholls is more than a month old, and of course his present location or condition is unknown. It is to be hoped, however, that his good judgment has impelled him to act with the requisite caution.

I am, Sir,

Your obedient servant,

(Signed) R. R. Cooper.

Enclosure as stated.

DIPLOMATIC
JUL 25 1904
BUREAU.

TELEGRAM RECEIVED IN CIPHER.

CHIEF CLERK,
JUL 25 1904
Department of State.

DEP'T OF STATE
JUL
25
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DIPLOMATIC BUREAU *From* PEKING,

Confirm.

Received July 25, 1904, 9:20 a.m.

Secretary of State,

Washington.

25th. Miller telegraphs Russians completely withdrawn from New Chwang this morning.

CONGER.

Ciphered by the Chief Clerk's Office, July 25,1904, 10:05 a.m.

TELEGRAM RECEIVED IN CIPHER.

PEKING.

Received July 25, 1904, 9:20 a.m.

Secretary of State,

Washington.

MILES' telegram Peking 22 completely withdrawn from

Newchang this morning.

CONGER.

July 22, 1904, 10:02 a.m.

month old, and of course his present location or condition is unknown. It is to be hoped, however, that his good judgment has impelled him to act with the requisite caution.

I am, Sir,

Your obedient servant,

(Signed) W. W. Rockhill.

Enclosure as stated.

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DIPLOMATIC CURE:J
To Postmaster Genl.
Ack as having done so.
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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
AUG 29 1904
BUREAU.

No. 1668

July 26, 1904

Ans. sent
To P.M.G.
Sept. 1, 1904
C.

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Mr. Conger to the Secretary of State.

Subject:

Postage rates between United States and places in China outside of Shanghai. Inconvenience resulting from failure to comply with Post Office Department Order. Advisability of a new Order.

No. 1667

July 26, 1904

Mr. Conger to the Secretary of State.

Subject:

Postage rates between United States and places in China outside of Shanghai. Inconvenience resulting from failure to comply with Post Office Department Order. Advisability of a new Order.

No. 1668.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 26th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Referring to our former correspondence on the same subject, I am constrained to report that the people in the United States generally still believe that the order of the Postmaster General, relating to domestic rates between the United States and Shanghai, enables them to send letters to any post office in China for two cents an ounce, whereas the truth is that this rate applies only to Shanghai; the rate from the United States to every other place in China being five cents per half ounce, and a fine for double that rate for any deficiency.

Of course we can notify our immediate friends and regular correspondents at home, but letters are daily arriving at the Legation and Consulates in large numbers from all parts of the United States, prepaid only with our domestic rates, and upon which heavy penalties must be paid; besides great delay is experienced in delivery. Yesterday I was obliged to pay penalties to the amount of $4.20, and to-day $1.30. This is a great burden, and is felt not only by the Legation and Consulates, but merchants and missionaries also.

It is true the Postmaster General's order is quite clear and does not justify the interpretation which the public has given to it, but since they do so generally misconstrue it, it seems to me the only possible remedy is in publishing another order stating specifically that the domestic rate applies to Shanghai only, and regular foreign

postage

No. 1488.

July 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to our former correspondence on the same subject, I am constrained to report that the people in the United States generally still believe that the order of the Postmaster General, relating to domestic rates between the United States and Shanghai, enables them to send letters to any post office in China for two cents an ounce, whereas the truth is that this rate applies only to Shanghai; the rate from the United States to every other place in China being five cents per half ounce, and a fine for double that rate for any deficiency.

Of course we can notify our immediate friends and regular correspondents at home, but letters are daily arriving at the Legation and Consulates in large numbers from all parts of the United States, prepaid only with our domestic rates, and upon which heavy penalties must be paid; besides great delay is experienced in delivery. Yesterday I was obliged to pay penalties to the amount of $4.20, and to-day $1.50. This is a great burden, and is felt not only by the Legation and Consulates, but merchants and missionaries also.

It is true the Postmaster General's order is quite clear and does not justify the interpretation which the public has given to it, but since they do so generally misconstrue it, it seems to me the only possible remedy is in publishing another order stating specifically that the domestic rate applies to Shanghai only, and regular foreign

postage

postage must be paid on letters addressed to any other part of the Chinese Empire.

I therefore again respectfully ask, if you think it proper, that the matter be reexplained to the Postmaster General, and that he be again requested to issue a corrective order.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

postage must be paid on letters addressed to any other part of the Chinese Empire.

I therefore again respectfully ask, if you think it proper, that the matter be reexplained to the Postmaster General, and that he be again requested to issue a corrective order.

I have the honor to be, Sir,

Your obedient servant,

C.W. Bangs

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1669.

July 26, 1904.

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Mr. Conger to the Secretary of State.

Ans. and
To Treasury,
Sept. 2

BUREAU.
SEP 1 1904

FOR RELS. 1904.

Subject:

Chinese Indemnity. Joint note to be sent to Chinese Government. Payment to be received in silver, difference between silver and gold rates to be adjusted at last regular payment. No action on my part. Copy of joint note enclosed.

(Referring to No. 1435 of Nov. 21, 1903)

No. 1809

July 26, 1904.

Mr. Conger to the Secretary of State.

Subject:

Chinese Indemnity. Joint note to be sent to Chinese Government. Payment to be received in silver, difference between silver and gold rates to be adjusted at last regular payment. No action on my part. Copy of joint note enclosed.

(Referring to No. 1455 of Nov. 23, 1903)

No. 1669.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1435 of November 21st last, concerning the proposition of the Belgian Government to receive payment of the indemnity as heretofore, in silver, at the rate of exchange at the time of each partial payment, leaving any difference between this and the gold rate to be settled hereafter and adjusted at the time the last regular payment falls due, granting additional time if necessary for China to pay any difference that may be due, etc., I now have the honor to report that all the Representatives of the signatory Powers, except me, have agreed upon a joint note, a copy and translation of which I enclose, which they will at once send to the Chinese Government.

Our position upon this question has heretofore been so fully explained to the Chinese Government and to the Powers, that I have deemed it unnecessary for me to take any action, either for or against this proposition.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Copy of joint note as above, with translation.

No. 1669.

July 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1438 of November 21st last, concerning the proposition of the Belgian Government to receive payment of the indemnity as heretofore, in silver, at the rate of exchange at the time of each partial payment, leaving any difference between this and the gold rate to be settled hereafter and adjusted at the time the last regular payment falls due, granting additional time if necessary for China to pay any difference that may be due, etc., I now have the honor to report that all the Representatives of the signatory Powers, except me, have agreed upon a joint note, a copy and translation of which I enclose, which they will at once send to the Chinese Government.

Our position upon this question has heretofore been so fully explained to the Chinese Government and to the Powers, that I have deemed it unnecessary for me to take any action, either for or against this proposition.

I have the honor to be, Sir,

Your obedient servant,

Conger

Enclosure:

Copy of joint note as above, with translation.

(copy) Encl. in #1669.

Pekin le Juillet, 1904.

A Son Altesse Impériale le Prince Ching,

Président du Ministère des Affaires Etrangères.

Altesse Impériale:

Le Gouvernement chinois a toujours reconnu l'obligation qu'il a contractée, aux termes du Protocole final du 7 Septembre 1901, de payer l'indemnité en or ou en une quantité d'argent equivalente au montant en or.

Toutefois, en raison de la pénurie du trésor et de la hausse de l'or, il a prié les Représentants des Puissances de rechercher les moyens de faciliter à la Chine l'exécution de ses engagements.

Déférant à ce désir, les soussignés, d'ordre de leurs Gouvernements respectifs, ont l'honneur de lui soumettre la proposition transactionnelle suivante:

"D'une part le Gouvernement chinois signera immédiate-
"ment les Bons nationaux, payables en or, conformément au
"Protocole du 7 Septembre 1901.

"D'autre part les Puissances soussignées consentent à
"ce que le paiement des arrérages de l'indemnité continue
"à ce faire comme jusqu'ici, c'est à dire en argent au cours
"du jour de chaque paiement partiel, et les dites Puissances
"accordent à la Chine les délais nécessaires pour éteindre
"par ce procédé, l'intégralité de l'indemnité qui leur est
"due.

"La valeur réelle des paiements mensuels effectués
"par la Chine dépendant du cours de l'argent, il est entendu
"que toutes les fois que la différence entres les sommes
"versées et les sommes dues aux Puissances soussignées sera
"en faveur de celles-ci, cette différence restera due aux
"dites Puissances et sera productive des mêmes intérets que le
"principal de l'indemnité. Par contre, toutes les fois que
"cette différence sera en faveur du Gouvernement chinois, les
"sommes versées en trop seront immédiatement deduites du

total

(copy)

Encl. no 1 to No 1664.

Peking le 7 juillet, 1904.

A Son Altesse Impériale le Prince Ching,

Président du Ministère des Affaires Etrangères.

Altesse Impériale:

Le Gouvernement chinois a toujours reconnu l'obligation qu'il a contractée, aux termes du Protocole final du 7 Septembre 1901, de payer l'indemnité en or ou en une quantité d'argent équivalente au montant en or.

Toutefois, en raison de la pénurie du trésor et de la hausse de l'or, il a prié les Représentants des Puissances de rechercher les moyens de faciliter à la Chine l'exécution de ses engagements.

Déférant à ce désir, les soussignés, d'ordre de leurs Gouvernements respectifs, ont l'honneur de lui soumettre la proposition transactionnelle suivante:

"D'une part le Gouvernement chinois stipulera immédiatement les Bons nationaux, payables en or, conformément au Protocole du 7 Septembre 1901.

"D'autre part les Puissances soussignées consentent à ce que le paiement des arriérages de l'indemnité soit tenu "à ce faire comme jusqu'ici, c'est à dire en argent au cours "du jour de chaque paiement partiel, et les dites Puissances "accordent à la Chine les délais nécessaires pour éteindre "par ce procédé, l'intégralité de l'indemnité qui leur est "due.

"La valeur réelle des paiements mensuels effectués "par la Chine dépendant du cours de l'argent, il est entendu "que toutes les fois que la différence entre les sommes "versées et les sommes dues aux Puissances soussignées sera "en faveur de celles-ci, cette différence restera due aux "dites Puissances et sera productive des mêmes intérets que le "principal de l'indemnité. Par contre, toutes les fois que "cette différence sera en faveur du Gouvernement chinois, les "sommes versées en trop seront immédiatement déduites du

total

"total des sommes restant dues par la Chine aux Puissances "soussignées.

"Comme le Gouvernement chinois est tenu de faire "des versements mensuels, les Représentants des Puissances "soussignées donneront des instructions à leurs délégués à "la Commission des Banquiers de Shanghai, pour que ceux-ci "fixent le taux du change à chaque versement au lieu "d'attendre la fin de chaque période de six mois.

"Si le total des versements effectués par la Chine "jusqu'à l'expiration de l'année 1940 n'atteint pas la "somme nécessaire pour parfaire en or le montant des in- "demnités revenant à chacune des Puissances soussignées, "le Gouvernement chinois continuera à faire des versements "mensuels jusqu'à complet amortissement de l'indemnité, "capital et interets compris.

"Dans cette éventualité, la Commission des Banquiers "de Shanghai établira, pour les paiements à faire poster- "ieurement à 1940, un nouveau tableau d'amortissement, à "moins que le Gouvernement chinois ne préfère user de la "liberté qui lui est laissée de se libérer immédiatement."

Les soussignés ne doutent pas que le Gouvernement chinois, reconnaissant que cette proposition à été uniquement inspirée par le souci de lui permettre de se libérer plus facilement, donnera immédiatement à ses delegues l'ordre de signer les bons nationaux tels qu'ils ont été formulés par la Commission des Banquiers.

Il ne leur serait pas possible d'aller plus loin dans la voie de la conciliation et de recommander d'autres systèmes à l'examen de leurs Gouvernements.

(copy)

"total des sommes restant dues par la Chine aux Puissances
"soussignées.

"Comme le Gouvernement chinois est tenu de faire
"des versements semestriels, les Représentants des Puissances
"soussignées donneront des instructions à leurs délégués à
"la Commission des Banquiers de Shanghai, pour que ceux-ci
"fixent le taux du change à chaque versement au lieu
"d'attendre la fin de chaque période de six mois.

"Si le total des versements effectués par la Chine
"jusqu'à l'expiration de l'année 1940 n'atteint pas la
"somme nécessaire pour parfaire en or la montant des in-
demnités revenant à chacune des Puissances soussignées,
"le Gouvernement chinois continuera à faire des versements
"semestriels jusqu'à complet amortissement de l'indemnité,
"capital et intérets compris.

"Dans cette éventualité, la Commission des Banquiers
"de Shanghai établira, pour les paiements à faire postér-
"ieurement à 1940, un nouveau tableau d'amortissement, à
"moins que le Gouvernement chinois ne préfère user de la
"liberté qui lui est laissée de se libérer immédiatement."

Les soussignés ne doutent pas que le Gouvernement chinois, reconnaissant que cette proposition a été unique-ment inspirée par le souci de lui permettre de se libérer plus facilement, donnera immédiatement à ses délégués l'ordre de signer les bons nationaux tels qu'ils ont été formulés par la Commission des Banquiers.

Il ne leur serait pas possible d'aller plus loin dans la voie de la conciliation et de recommander d'autres sys-tèmes à l'examen de leurs Gouvernements.

Les soussignés saissent cette occasion pour renouveler à Votre Altesse Impériale les assurances de leur plus haute consideration.

"total. Les conseillers saisissent cette occasion pour renouveler
à Votre Altesse Impériale les assurances de leur plus
haute considération."

Il ne leur serait pas possible d'aller plus loin dans la voie de la conciliation et de recommander d'autres sacrifices à l'examen de leurs Gouvernements.

"des versements mensuels, les Représentants des Puissances
"auraient donnés des instructions à leurs délégués à
"la Commission des Banquiers de Shanghai, pour que ceux-ci
"fixent le taux du change à chaque versement au lieu
"d'attendre la fin de chaque période de six mois.

"Si le total des versements effectués par la Chine
"jusqu'à l'expiration de l'année 1940 n'atteint pas la
"somme nécessaire pour parfaire en or 655 montant des in-
"demnités revenant à chacune des Puissances consultées,
"le Gouvernement chinois continuera à faire des versements
"mensuels jusqu'à complet amortissement de l'indemnité,
"capital et intérets compris.

"Dans cette éventualité, la Commission des Banquiers
"de Shanghai établira, pour les paiements à faire postér-
"ieurement à 1940, un nouveau tableau d'amortissement, à
"moins que le Gouvernement chinois ne préfère user de la
"liberté qui lui est laissée de se libérer immédiatement."

Les conseillers ne doutent pas que le Gouvernement chinois, reconnaissant que cette proposition a été uniquement inspirée par le souci de lui permettre de se libérer plus facilement, donnera immédiatement à ses délégués l'ordre de signer les bons nationaux tels qu'ils ont été formulés par la Commission des Banquiers.

Translation

Enclosure No.- In Despatch No. 1669.

Peking, July 1904.

To His Imperial Highness, Prince Ch'ing,

President of the Ministry of Foreign Affairs.

Your Imperial Highness:

The Chinese Government has always recognized the obligation which it contracted by the terms of the Final Protocol of the 7th of September, 1901, to pay the indemnity in gold, or in a quantity of silver equivalent to the total in gold.

Nevertheless, because of the poverty of the Treasury and the rise in gold, it has begged the Representatives of the Powers to seek some means to make it easier for China to fulfill her engagements.

Referring to this desire, the undersigned, by order of their respective Governments, have the honor to submit the following proposition in the nature of a compromise:

"On the one hand, the Chinese Government shall sign immediately the national bonds payable in gold in accordance with the Protocol of the 7th of September, 1901. On the other hand, the undersigned Powers agree that the payment of the arrears of the indemnity shall continue to be made as heretofore; that is to say, in silver at the current rate of the day of each partial payment, and the said Powers grant to China the delay necessary to extinguish by this means the total of the indemnity which is due to them.

As the true value of the monthly payments made by China depends on the rate of silver, it is agreed that every time that the difference between the sums paid and the sums due the undersigned Powers shall be in favor of the latter, this difference will remain due to the said Powers, and shall bear the same interest as the principal of the indemnity. On the other hand, whenever this difference shall be

in

Translation.

Enclosure No.- In Despatch No. 1664.

Peking, July [illegible] 1904.

To His Imperial Highness, Prince Ch'ing,

President of the Ministry of Foreign Affairs.

Your Imperial Highness:

The Chinese Government has always recognized the obligation which it contracted by the terms of the Final Protocol of the 7th of September, 1901, to pay the indemnity in gold, or in a quantity of silver equivalent to the total in gold.

Nevertheless, because of the poverty of the Treasury and the rise in gold, it has begged the Representatives of the Powers to seek some means to make it easier for China to fulfill her engagements.

Referring to this desire, the undersigned, by order of their respective Governments, have the honor to submit the following proposition in the nature of a compromise:

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in

in favor of the Chinese Government, the surplus sums paid shall be immediately deducted from the total of the sums remaining due by China to the undersigned Powers.

As the Chinese Government is required to make monthly payments, the Representatives of the undersigned Powers shall give instructions to their delegates on the Bankers' Commission of Shanghai so that the latter may fix the rates of exchange for each payment instead of waiting for the end of each period of six months.

If the total of the payments made by China up to the expiration of the year 1980 does not reach the sum necessary to equal in gold the total of the indemnity due to each one of the undersigned Powers, the Chinese Government will continue to make monthly payments until the complete settlement of the indemnity, capital and interest included.

In this case the Bankers' Commission in Shanghai shall draw up a new amortization table for the payments to be made after 1980, unless the Chinese Government prefers to use the privilege which is granted to it of settling immediately.

The undersigned do not doubt that the Chinese Government, recognising that this proposition has been inspired solely by the desire to permit it to discharge its obligations more easily, will immediately give to its delegates the order to sign the national bonds in the form which has been drawn up by the Commission of Bankers.

It will not be possible to go any further in the way of making concessions, and to recommend other plans for the examination of their Governments.

The undersigned seize this occasion to renew to Your Imperial Highness the assurance of their highest consideration."

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As the Chinese Government is required to make monthly payments, the Representatives of the undersigned Powers shall give instructions to their delegates on the Bankers' Commission of Shanghai so that the latter may fix the rates of exchange for each payment instead of waiting for the end of each period of six months.

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In this case the Bankers' Commission in Shanghai shall draw up a new amortization table for the payments to be made after 1940, unless the Chinese Government prefers to use the privilege which is granted to it of settling immediately.

The undersigned Powers do not doubt that the Chinese Government, recognizing that this proposition has been inspired solely by the desire to permit it to discharge its obligations more easily, immediately will give to its delegates the order to sign the national bonds in the form which have been drawn up by the Commission of Bankers.

It will not be possible to go any further in the way of making concessions, and to recommend other plans for the examination of their Governments.

The undersigned seize this occasion to renew to Your Imperial Highness the assurance of their highest consideration."

DEPT OF STATE
AUG
29
2ND ASST SECRETARY

DIPLOMATIC BUREAU

Ack & file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
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No. 1670.

July 28, 1904.

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Mr. Conger to the Secretary of State.

acknd. Aug. 30

Subject:

Russian evacuation of Newchwang. Japanese occupation. Chinese Government ask to be allowed to send Taotai. Reported violations by both belligerents of neutral zone east of Liao River. Protests.

(Confirming telegram sent July 25, 1904)

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No. 1276.

July 28, 1904.

Mr. Conger to the Secretary of State.

Subject:

Russian evacuation of Newchwang. Japanese occupation. Chinese Government ask to be allowed to send Tartai. Reported violations by both belligerents of neutral zone east of Liao River. Protests.

(Confirming telegram sent July 28, 1904)

No. 1670.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 25th instant as follows:

Secstate, Washington.

Twentyfifth. Miller telegraphs Russian completely withdrawn from Newchwang this morning.

(Signed) Conger.

As a result of severe fighting on the 23rd and 24th instant Ta Shih-chao was captured by the Japanese, and Newchwang, in consequence, evacuated. The Russians left their Civil Administrator, Consul Grosse, with twelve Russian police, who, with the help of other foreigners, preserved order in the city proper until the arrival of the Japanese, a small company of whom arrived on the next day.

The Japanese have taken charge of affairs, and everything is going on in an orderly way under their military administration.

The Chinese Government has requested permission to send a Taotai there to take charge of and carry on the civil administration of the Port. I cannot learn what reply the Japanese have made them, but under present conditions I apprehend that military administration alone will be practicable.

The Russians destroyed no buildings, but before leaving burned all coal and other supplies.

The Russians have been continually crossing the Liao River opposite Mukden, and above, into the agreed neutral Chinese territory, where they meet and purchase from the

Mongols

No. 1570.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of the 25th instant as follows:

Secretary, Washington.

Twenty-fifth. Miller telegraphs Russian completely withdrawn from Newchwang this morning.

(Signed) Conger.

As a result of severe fighting on the 23rd and 24th instant Ta Shih-chao was captured by the Japanese, and Newchwang, in consequence, evacuated. The Russians left their Civil Administrator, Consul Grosse, with twelve Russian police, who, with the help of other foreigners, preserved order in the city proper until the arrival of the Japanese, a small company of whom arrived on the next day.

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The Russians destroyed no buildings, but before leaving burned all coal and other supplies.

The Russians have been continually crossing the Liao River opposite Mukden, and above into the agreed neutral Chinese territory, where they meet and purchase from the Mongols

Mongols large quantities of supplies. It is reported that the Japanese have in this same locality, been enlisting and organizing bands of Chinese brigands known as "Hung Hutzes," which has seriously interfered with this Russian-Mongol trade. Some Russian soldiers have been attacked and killed by them. The Russian Minister has protested vigorously to the Chinese Government because it does not prevent the enlistment of its subjects, and because it permits the Japanese to come into the neutral territory for such purpose.

It would seem that the Japanese might, of right, go wherever the Russians do, and they might properly interfere with and attempt to prohibit the procuring, by the Russians, of supplies in this territory, but the right or propriety of enlisting Chinese subjects for this purpose is questionable.

It is to be presumed that the Port of Newchwang will still be kept open to general trade which will probably operate with greater freedom than heretofore.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Mongolia large quantities of supplies. It is reported that the Japanese have in this same locality, been enlisting and organizing bands of Chinese brigands known as "Hung Hutzes," which has seriously interfered with this Russian monopoly of trade. Some Russian soldiers have been attacked and killed by them. The Russian Minister has protested vigorously to the Chinese Government because it does not prevent the enlistment of its subjects, and because it permits the Japanese to come into the neutral territory for such purpose.

It would seem that the Japanese might, of right, go wherever the Russians do, and they might properly interfere with and attempt to prohibit the procuring, by the Russians, of supplies in this territory, but the right or propriety of enlisting Chinese subjects for this purpose is questionable.

It is to be presumed that the Port of Newchwang will still be kept open to general trade which will probably operate with greater freedom than heretofore.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

Arbd Aug 29.
BUREAU OF APPOINTMENTS
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Department of State.

No. 1671.

July 28, 1904

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Mr. Conger to the Secretary of State.

Subject:

Receipt of Department Instruction No. 806 of June 7 last, enclosing Mr. Haskins Commission as Ass't Chinese Secretary of this Legation. Oath of Office herewith returned.

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No. 1171

July 28, 1904

Mr. Conger to the Secretary of State.

Subject:

Receipt of Department Instruction No. 806 of June 7 last, enclosing Mr. Hawkins Commission as Asst Chinese Secretary of this Legation. Oath of Office herewith returned.

No. 1671.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 806, of June 7th, enclosing Mr. Haskins' commission as Assistant Chinese Secretary of this Legation, and a form of oath of office which is returned herewith executed before the Secretary of Legation as prescribed.

I have the honor to be, Sir,

Your obedient servant,

C. H. Conger

Enclosure as stated.

No. 1071.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 806, of June 7th, enclosing Mr. Haskins' commission as Assistant Chinese Secretary of this Legation, and a form of oath of office which is returned herewith executed before the Secretary of Legation as prescribed.

I have the honor to be, Sir,

Your obedient servant,

C. D. Rodgers

Enclosure as stated.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1672

July 28, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Receipt of Instruction No. 809 of June 14 last and of the books mentioned therein. Compliance.

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July 28, 1904.

Mr. Conger to the Secretary of State.

Subject:

Receipt of Instruction No. 809 of June 14 last and of the books mentioned therein. Compliance.

No. 1672.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 809 of June 14 last, and of the books stated therein to have been shipped during the same week.

With regard to the books which I am authorized to purchase, they have been ordered from Messrs. Kelly & Walsh of Shanghai.

I have the honor to be, Sir,

Your obedient servant,

E. T. Conger

No.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 809 of June 14 last, and of the books stated therein to have been shipped during the same week.

With regard to the books which I am authorized to purchase, they have been ordered from Messrs. Kelly & Walsh of Shanghai.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1677.

July 28, 1904

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Mr. Conger to the Secretary of State.

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Subject:

Receipt of Instruction No. 810 of June 6, enclosing telegram of Miss Etzel in regard to death of her brother. Report forwarded in No. 1644 of June 25 last.

No.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 809 of June 14 last, and of the books stated therein to have been shipped during the same week.

With regard to the books which I am authorized to purchase, they have been ordered from Messrs. Kelly & Walsh of Shanghai.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1673.

July 28, 1904

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Mr. Conger to the Secretary of State.

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Subject:

Receipt of Instruction No. 810 of June 6, enclosing telegram of Miss Etzel in regard to death of her brother. Report forwarded in No. 1644 of June 25 last.

No. [illegible]

July 28, 1904

Mr. Conger to the Secretary of State.

Subject:

Receipt of Instruction No. 810 of June 6, enclosing telegram of Miss Kinzel in regard to death of her brother. Report forwarded in No. 1664 of June 25 last.

No. 1673.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge Department Instruction No. 810, of June 16th, enclosing a telegram to the President from Miss Anna B. Etzel, with regard to the death of her brother, and directing me to investigate the matter.

The report required has already been forwarded to the Department in my No. 1644 of June 25th.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge Department Instruction No. 810, of June 16th, enclosing a telegram to the President from Miss Anna B. Ntsel, with regard to the death of her brother, and directing me to investigate the matter.

The report required has already been forwarded to the Department in my No. 1644 of June 28th.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED
AUG 29 1904
BUREAU OF ACCOUNTS
DEPT. OF STATE.

No. 1674.

July 28, 1904.

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Mr. Conger to the Secretary of State.

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Subject:

Receipt of Department Instruction dated June 2, transmitting Treasury Circular re computation of Government salaries; compliance.

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No.

July 28, 1904.

Mr. Conger to the Secretary of State.

Subject:

Receipt of Department Instruction dated June 2, transmitting Treasury Circular re computation of Government salaries; compliance.

No. 1674.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 28th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge Department unnumbered Instruction of June 2, transmitting a circular of the Treasury Department, dated May 22, 1904, for the guidance of members of this Legation in computing their salaries, the contents of which have been imparted to all concerned.

I am curious to know whether there is not a mistake in the last paragraph which appears to me to be at variance with the system adopted.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1217.

July 30, 1904.

Mr. Conger to the Secretary of State.

Subject:

Reports of Quarterly Examination of Student Interpreters transmitted.

No. 1675

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith the report of Mr. Williams, the Chinese Secretary, on the regular quarterly examination of the Student Interpreters, which has recently been held at this Legation.

The showing, I am pleased to say, is exceedingly satisfactory.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Williams to Mr. Conger, July 23rd, 1904, with enclosures.

No. 1257.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

July 30th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to transmit herewith the report of Mr. Williams, the Chinese Secretary, on the regular quarterly examination of the Student Interpreters, which has recently been held at this Legation.

The showing, I am pleased to say, is exceedingly satisfactory.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Inclosure:

Mr. Williams to Mr. Conger, July 23rd, 1904, with enclosures.

Enclosure No.- In Despatch No. 1675.

Mr. Williams to Mr. Conger.

Peking, July 23rd, 1904.

Hon. E. H. Conger,

Minister of the United States,

Peking, China.

Sir: I have the honor to report that the regular quarterly examination of the Student Interpreters has been held. That of Messrs. Pontius and Williams was their first annual examination, and in accordance with Instructions I invited two Americans to assist me in conducting it. These were Rev. H. H. Lowry, D.D. of the Methodist Episcopal Mission, and Hon. F. D. Cheshire, U. S. Consul General at Moukden, who happened to be in the city. The examination was both oral and written, and covered the same ground as that gone over by the senior students at the end of their first year. The result was as follows:

Mr. Pontius, as marked by Dr. Lowry,	.....	88%
" " " " Mr. Cheshire,	.....	95.6%
" " " " Mr. Williams,	.....	92%
	Average, ...	91.9%
Mr. Williams, as marked by Dr. Lowry,	.....	97%
" " " " Mr. Cheshire,	.....	98.1%
" " " " Mr. Williams,	.....	96.8%
	Average, ...	97.3%

I enclose the reports of Messrs. Lowry and Cheshire.

Of the Senior Students Mr. Haskins has been kept so busy with his duties as Assistant Chinese Secretary that he has had no opportunity to take examination. As you know, his duties have been discharged in a most admirable manner, and this affords a better test than a formal examination. Mr. Arnold on the eve of examination was ordered to Shanghai and had of course to be excused. Mr. Cloud passed a very satisfactory examination in the translation of a Memorial

orial, an Imperial Edict, and a Note. His mark is 92%.

TheThe Students of the second class were also examined in the translation of a Despatch, an Edict and a Memorial. They all did remarkably well, but Mr. Clowe deserves especial mention. They were marked as follows:

Mr. Clowe, ... 100%.

Mr. Heintzleman, .. 97.7%.

Mr. Hull, ... 97.3%.

I have the honor to be, Sir,

Your obedient servant,

(Signed) E. T. Williams,

Chinese Secretary.

orial, an Imperial Edict, and a Note. His mark is 92%.

The Students of the second class were also examined in the translation of a Despatch, an Edict and a Memorial. They all did remarkably well, but Mr. Clowe deserves especial mention. They were marked as follows:

Mr. Clowe, ... 100%.

Mr. Heintzleman, ... 97.7%.

Mr. Hull, ... 97.5%.

I have the honor to be, Sir,

Your obedient servant,

(Signed) W. T. Williams,

Chinese Secretary.

Peking, June 16th, 1904.

The undersigned has reached the following conclusions as to the marks, he is of opinion, should be awarded Messrs. Williams and Pontius, in the examination held June 15th, 1904.

Mr. Williams.

Reading and translating Kuan Hua Chih Nan and Mateer's	98%
Writing Chinese characters,	100%
English equivalents of Chinese expressions,	94%
Chinese equivalents of English expressions,	100%
Classification of nouns,	100%
English translation of Chinese sentences,	100%
Transliteration of English sentences,	98%

Average 98.1%.

Mr. Pontius.

Reading and translating Kuan Hua Chih Nan and Mateer's	90%
Writing Chinese characters,	100%
English equivalents of Chinese expressions,	94%
Chinese equivalents of English expressions,	100%
Classification of nouns,	100%
English translation of Chinese sentences,	95%
Transliteration of English sentences,	90%

Average 95.6%.

Remarks. Both students showed that they had done good work during the period under review. Mr. Williams' pronounciation is very good and shows that he has a good ear for sound: he speaks well. Mr. Pontius did very well but he should give more attention to tones and pronounciation.

(Signed) F. D. Cheshire.

Peking, June 16th, 1904.

The undersigned has resolved the following conclusions as to the marks, he is of opinion, should be awarded Messrs. Williams and Pontius, in the examination held June 15th, 1904.

Mr. Williams.

Reading and translating Kuan Hua Chih Nan and Mateer's

98%

Writing Chinese characters, 100%

English equivalents of Chinese expressions, 94%

Chinese equivalents of English expressions, 100%

Classification of nouns, 100%

English translation of Chinese sentences, 100%

Translation of English sentences, 98%

Average 98.1%.

Mr. Pontius.

Reading and translating Kuan Hua Chih Nan and Mateer's

90%

Writing Chinese characters, 100%

English equivalents of Chinese expressions, 94%

Chinese equivalents of English expressions, 100%

Classification of nouns, 100%

English translation of Chinese sentences, 98%

Translitteration of English sentences, 90%

Average 95.6%.

Remarks. Both students showed that they had done good work during the period under review. Mr. Williams' pronunciation is very good and shows that he has a good ear for sound: he speaks well. Mr. Pontius did very well but he should give more attention to tones and pronunciation.

(Signed) W. D. Cheshire.

Marks on Mr. Williams' examination.

Oral,	49	15 June, 1904.
Quest. 1,	19	
" 2,	15	
" 3,	6	
" 4,	8	
" 5,	6	
" 6	6	
	97	

Excellently well done.

(Signed) H. H. Lowry.

Marks on Mr. Pontius' examination.

15 June, 1904.

Oral,	45	
Quest. 1	18	
" 2,	4	
" 3,	5	
" 4,	5	
" 5,	6	
" 6,	5	
	88.	

(Signed) H. H. Lowry.

Marks on Mr. Williams' examination.

15 June, 1904.

Oral,		49
Quest.	1,	19
"	2,	15
"	3,	8
"	4,	8
"	5,	6
"	6	6
		97

Excellently well done.

(Signed) H. H. Lowry.

Marks on Mr. Pontius' examination.

15 June, 1904.

Oral,		45
Quest.	1	18
"	2,	4
"	3,	8
"	4,	5
"	5,	6
"	6,	8
		88.

(Signed) H. H. Lowry.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED
SEP
17
1904
BUR. ACCOUNTS. DEP. OF STATE.

No. 1676.

August 1, 1904.

Mr. Conger to the Secretary of State

Subject:

New Legation Buildings. Glass, lath and hair contracts awarded. Advice of drafts of July 30, $700. and July 25, $9250.00.

INDEX BUREAU
FILED

No. 1676.

August 1, 1904.

Mr. Conger to the Secretary of State

Subject:

New Legation Buildings. Glass, lath and hair contracts awarded. Advice of drafts of July 30, $700. and July 28, $9850.00.

No. 1676.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

By an oversight of Mr. Roberts, Superintendent of Public Building at San Francisco, the item of glass was omitted in his request for bids for roofing, exterior doors, sash, etc. He was then instructed to ask for separate bids for all glass, and to wire me the lowest bid, as it was necessary to have the glass here as soon as possible. On the 29th ultimo I received a telegram from him as follows:

"Conger, Peking.
Lowest bid for all glass for all buildings two thousand seven hundred twenty dollars, Warren. Recommend acceptance.
Roberts."

We had hoped to get our lath here, but they have no standard of lath in China, and they can only be obtained by having them sawed out by hand and from very expensive material. It was therefore decided to request Mr. Roberts to procure bids for this item, and hair which cannot be obtained here at all. This he did, and on the 30th ultimo I received from him the following telegram:

"Conger, Peking.
Best figure for one hundred thirty thousand lath nine hundred pounds hair five hundred seventeen dollars cash on wharf Sanfrancisco, Campbell. Recommend acceptance.
Roberts."

Both of these bids being apparently reasonable, I at once accepted them by telegram, and in my letter confirming same, a copy of which I enclose, I sent him a draft on you dated July 30th for $700.00.

I also drew on you on the 25th ultimo for $9250.00, and sent the same to Mr. Roberts to be handed over to the William H. Warren Manufacturing Company, as one-half payment

No. 1676.

August 1st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

By an oversight of Mr. Roberts, Superintendent of Public Building at San Francisco, the item of glass was omitted in his request for roofing, exterior doors, sash, etc. He was then instructed to ask for separate bids for all glass, and to wire me the lowest bid, as it was necessary to have the glass here as soon as possible. On the 29th ultimo I received a telegram from him as follows:

"Conger, Peking.
Lowest bid for all glass for all buildings two thousand and seven hundred twenty dollars, Warren. Recommend acceptance.
Roberts."

We had hoped to get our lath here, but they have no standard of lath in China, and they can only be obtained by having them sawed out by hand and from very expensive material. It was therefore decided to request Mr. Roberts to procure bids for this item, and hair which cannot be obtained here at all. This he did, and on the 30th ultimo I received from him the following telegram:

"Conger, Peking.
Best figure for one hundred thirty thousand lath nine hundred pounds hair five hundred seventeen dollars cash on wharf Sanfrancisco, Campbell. Recommend acceptance.
Roberts."

Both of these bids being apparently reasonable, I at once accepted them by telegram, and in my letter confirming same, a copy of which I enclose, I sent him a draft on you dated July 30th for $700.00.

I also drew on you on the 28th ultimo for $2280.00, and sent the same to Mr. Roberts to be handed over to the William H. Warren Manufacturing Company, as one-half

payment

payment on their contract for roofing materials, exterior doors, sash, etc.

Both of these drafts will be duly accounted for in my next account current.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Conger to Mr. Roberts, July 30th, 1904.

payment on their contract for roofing materials, exterior doors, sash, etc.

Both of these drafts will be duly accounted for in my next account current.

I have the honor to be, Sir,

Your obedient servant,

Copy to Archt. June 19/05

Enclosure No. 1 In Despatch No. 1676

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, July 30th, 1904.

J. W. Roberts, Esquire,

Superintendent of Construction,

Public Building, San Francisco.

Sir:

I confirm your telegrams received yesterday and to-day, and my reply of this date as follows:

Conger, Peking.
Lowest bid for all glass for all buildings two thousand seven hundred twenty dollars, Warren. Recommend acceptance.
(Signed) Conger.

Conger, Peking.
Best figure for one hundred thirty thousand lath nine hundred pounds hair five hundred seventeen dollars cash on wharf Sanfrancisco, John Campbell. Recommend acceptance.
(Signed) Roberts.

Roberts, Public Building,
Sanfrancisco.
Warren's bid glass and Campbell's bid lath and hair accepted. Send lath with Warren's first shipment. Am mailing you draft to-day.
(Signed) Conger.

These telegrams must be considered as making complete contracts, 1; with the Wm. H. Warren Manufacturing Co. for all the glass, of every description, for all the buildings of our new Legation, in accordance with the specifications heretofore furnished you, and to be delivered at Tientsin as required by said specifications, for the sum of $2,720. gold.

2; with Mr. Campbell for 130,000 laths and 900 pounds of hair, delivered on wharf in San Francisco, ready for shipment to Tientsin, for $517.00 gold.

I enclose herein a draft payable to your order for $700.00 gold, which I estimate will pay for the material, and also the freight to Tientsin. If it is not sufficient please make arrangements for the balance to be paid at Tientsin on delivery of material.

Please

Enclosure No. 1 In Despatch No. 175

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, July 30th, 1904.

J. W. Roberts, Esquire,

Superintendent of Construction,

Public Building, San Francisco.

Sir:

I confirm your telegrams received yesterday and to-day, and my reply of this date as follows:

Conger, Peking.
Lowest bid for all glass for all buildings two thousand and seven hundred twenty dollars, Warren. Recommend acceptance.
(Signed) Conger.

Conger, Peking.
Best figure for one hundred thirty thousand lath nine hundred pounds hair five hundred seventeen dollars cash on wharf Sanfrancisco, John Campbell. Recommend acceptance.
(Signed) Roberts.

Roberts, Public Building,
Sanfrancisco.
Warren's bid glass and Campbell's bid lath and hair accepted. Send lath with Warren's first shipment. Am mailing you draft to-day.
(Signed) Conger.

These telegrams must be considered as making complete contracts, I; with the Wm. H. Warren Manufacturing Co. for all the glass, of every description, for all the buildings of our new Legation, in accordance with the specifications heretofore furnished you, and to be delivered at Tientsin as required by said specifications, for the sum of $2,720. gold.

2; with Mr. Campbell for 130,000 laths and 900 pounds of hair, delivered on wharf in San Francisco, ready for shipment to Tientsin, for $817.00 gold.

I enclose herein a draft payable to your order for $700.00 gold, which I estimate will pay for the material, and also the freight to Tientsin. If it is not sufficient please make arrangements for the balance to be paid at Tientsin on delivery of material.

Please

Please take triplicate vouchers, sending one to the Department of State, and the other two to me.

This shipping, I know, will make you a lot of trouble, but I do not see any other way.

I have requested you to have the lath shipped with first shipment of Warren's work, after receipt of the telegram, as there will be less danger of its going astray, and much less trouble to look after it in Tientsin.

I would be glad if you could send me receipted bills for your own expenditures at the same time you notify me of their amount; it delays my accounts so long for letters to cross the ocean twice afterwards.

I presume Warren has already shipped the roofing material.

Thanking you again, and with kindest regards from Mr. Nealy, I am,

Very respectfully yours,

(Signed) E. H. Conger,

U.S.Minister.

Enclosure;

Draft as stated.

Please take triplicate vouchers, sending one to the Department of State, and the other two to me.

This shipping, I know, will make you a lot of trouble, but I do not see any other way.

I have requested you to have the last shipped with first shipment of Warren's work, after receipt of the telegram, as there will be less danger of its going astray, and much less trouble to look after it in Tientsin.

I would be glad if you could send me receipted bills for your own expenditures at the same time you notify me of their amount; it delays my accounts so long for letters to cross the ocean twice afterwards.

I presume Warren has already shipped the roofing material.

Thanking you again, and with kindest regards from Mr. Neely, I am,

Very respectfully yours,

(Signed) E. H. Conger,

U.S.Minister.

Enclosure;

Draft as stated.

C. C.
DEP'T OF STATE SEP 19 1904 2ND ASSISTANT SECRETARY
DIPLOMATIC BUREAU
Ack, approving some more.
aag

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC SEP 19 1904 BUREAU.
CHIEF CLERK, SEP 17 1904 Department of State.

No. 1677.

August 2, 1904

Mr. Conger to the Secretary of State.

To Wm. C. Nichols, Oct. 10, 1904 C.
Desp. Sub 20
Telegram to Minister Conger Oct. 18 C.

Subject:

Safety of Mr. Nichols, on journey to Tibet.

Further correspondence with Foreign Office.

(No. 1667 of July 22, continued)

INDEX BUREAU SEP 29 1904 FILED

No. 1577.

August 3, 1904

Mr. Conger to the Secretary of State.

Subject:

Safety of Mr. Nichols, on journey to Tibet.

Further correspondence with Foreign Office.

(No. 1567 of July 23, continued)

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1677

August 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1667 of the 22nd ultimo, concerning the danger of the American traveller, Mr. Nichols, proceeding on his proposed journey into Tibet, I have the honor to enclose herewith copies of additional correspondence with Prince Ch'ing upon this subject,

and to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Prince Ch'ing to Mr. Conger, July 31st, 1904.
2. Mr. Conger to Prince Ch'ing, August 2nd, 1904.

No. 1677

August 2nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1667 of the 22nd ultimo, concerning the danger of the American traveller, Mr. Nichols, proceeding on his proposed journey into Tibet, I have the honor to enclose herewith copies of additional correspondence with Prince Ch'ing upon this subject.

And to be, Sir,

Your obedient servant,

Enclosures:

1. Prince Ch'ing to Mr. Conger, July 31st, 1904.
2. Mr. Conger to Prince Ch'ing, August 2nd, 1904.

Enclosure No./ In Despatch No. 1677

Prince Ch'ing to Mr. Conger.

On July 28th 1904, a telegram was received from the Governor of Yunnan saying that he had received a telegram from the Magistrate of Li Chiang Fu to the effect that an American named Nichols had come to Yunnan from Szechuen with the intention of travelling to the Barbarian districts of Ch'u and Bu(districts bordering Yunnan on the West.) The Governor at the time, therefore, instructed the Magistrate to think up some way of dissuading him, and received a telegram in reply as follows: "This American will not listen to my dissuasions, but is bent on going ahead; at present he has fever and dysentery and has not left here as yet, but there is a French Missionary here who says that if occasion should arise hereafter, he will give testimony(to the effect that we tried to prevent him from going.)" The Governor says that the people in these two Barbarian districts of Ch'u and Bu speak a strange language and have not yielded to civilising influences. If this American will not hearken to remonstrances, but insists upon going, it will be difficult to guard against unexpected danger. Besides instructing the Magistrate of the place to look out for Mr. Nichols' interests, and to keep a constant watch upon his movements and report upon the same, the Governor felt it his duty to report the matter to us, that we might send a despatch to the American Minister about it, and at the same time state clearly that if the United States has any international matters to be dealt with in Yunnan, he hoped that the British Consul in Yunnan would be given power to deal with them, so that in case a matter of this kind should come up again, the British Consul could be called upon to keep the party from going on; thus would previous action prevent consequent trouble.

It appears to my Board that the people of these Barbarian districts of Ch'u and Bu speak a strange language,

and

Enclosure No.1 In Despatch No. 1677

Prince Ch'ing to Mr. Conger.

On July 28th 1904, a telegram was received from the Governor of Yunnan saying that he had received a telegram from the Magistrate of Li Chiang Fu to the effect that an American named Nicholas had come to Yunnan from Szechuen with the intention of travelling to the Barbarian districts of Ch'u and Mu(districts bordering Yunnan on the West.) The Governor at the time, therefore, instructed the Magistrate to think up some way of dissuading him, and received a telegram in reply as follows: "This American will not listen to my dissuasions, but is bent on going ahead; at present he has fever and dysentery and has not left here as yet, but there is a French Missionary here who says that if occasion should arise hereafter, he will give testimony(to the effect that we tried to prevent him from going.)" The Governor says that the people in these two Barbarian districts of Ch'u and Mu speak a strange language and have not yielded to civilizing influences. If this American will not hearken to remonstrances, but insists upon going, it will be difficult to guard against unexpected danger. Besides instructing the Magistrate of the place to look out for Mr. Nicholas' interests, and to keep a constant watch upon his movements and report upon the same, the Governor felt it his duty to report the matter to us, that we might send a despatch to the American Minister about it, and at the same time state clearly that if the United States has any international matters to be dealt with in Yunnan, he hoped that the British Consul in Yunnan would be given power to deal with them, so that in case a matter of this kind should come up again, the British Consul could be called upon to keep the party from going on; thus would previous action prevent consequent trouble.

It appears to my Board that the people of these Barbarian districts of Ch'u and Mu speak a strange language, and

and having been importuned not to proceed thither, this Mr. Nichols ought to be very careful, and not take a single step into such a dangerous country. If he will not listen to warnings, and hereafter meets with danger he did not expect, we will have no power to protect him. For that reason this despatch is written to Your Excellency, and we hope you will take immediate steps to effectually prevent his proceeding to these places. As to the American international interests in Yunnan being looked after by the British Consul, we trust that Your Excellency will consider and deal with this matter, and favor us with an early reply.

A necessary despatch.

Kuanghsu 30th Year, 6th Moon, 19th Day.(July 31, 1904) SEAL.

It appears to my Board that the people of these Barbarian districts of Ch'a and Ma speak a strange language, and

Enclosure No.1 In Despatch No. 1577

and having been importuned not to proceed thither, this Mr. Nicholls ought to be very regretful, and not take a single step into such a dangerous country. If he will not listen to warnings, and hereafter meets with danger he did not expect, we will have no power to protect him. For that reason this despatch is written to Your Excellency, and we hope you will take immediate steps to effectually prevent his proceeding to those places. As to the American international interests in Yunnan being looked after by the British Consul, we trust that Your Excellency will consider and deal with this matter, and favor us with an early reply.

A necessary despatch.

Kuangsu 30th Year, 6th Moon, 19th Day.(July 21, 1904) SEAL.

[illegible] missionary here who says that if cessation has fever and dysentery and has not left here as yet, but feet that we tried to prevent him from going." The Governor says that the people in these two Barbarian districts of Ch'a and Ma speak a strange language and have not yielded to civilizing influences. If this American will not hearken to remonstrances, but insists upon going, it will be difficult to guard against unexpected danger. Besides instructing the Magistrate of the place to look out for Mr. Nicholls' interests, and to keep a constant watch upon his movements and report upon the same, the Governor felt it his duty to report the matter to us, that we might send a despatch to the American Minister about it, and at the same time state clearly that if the United States has any international matters to be dealt with in Yunnan, he hoped that H.B. British Consul in Yunnan would be given power to deal with them, so that in case a matter of this kind should come up again, the British Consul could be called upon to keep the party from going on; thus would previous action prevent consequent trouble.

Enclosure No. 2 In Despatch No. 1677

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 2nd, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' note of the 31st ult. reporting that the American traveller, Mr. Nichols, insists upon travelling among the Ch'u and Nu tribes, notwithstanding the efforts of the local officials to dissuade him, and the warning of the Governor of Yunnan that it will be impossible to protect him there, and requesting that the British Consul at Yunnan Fu be given such control of American interests in that province as will enable him to effectually prevent Mr. Nichols from proceeding into anticipated danger, etc.

Thanking your Imperial Highness for the information given concerning this American and for the kindly interest taken in his welfare, I beg to reply that I have already notified Mr. Nichols of the danger of travel in the localities mentioned, and it is to be hoped, therefore, that he will not needlessly expose himself to unwarranted danger.

Should occasion require, the British Consul at Yunnan Fu will be requested to use his good offices in the case of any American interests in his jurisdiction.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary & Minister

Plenipotentiary of the

United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 2 in Despatch No. 177

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 2nd, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Imperial Highness' note of the 31st ult. reporting that the American traveller, Mr. Nichols, intends upon travelling among the Ch'a and Mu tribes, notwithstanding the efforts of the local officials to dissuade him, and the warning of the Governor of Yunnan that it will be impossible to protect him there, and requesting that the British Consul at Yunnan Fu be given such control of American interests in that province as will enable him to effectually prevent Mr. Nichols from proceeding into anticipated danger, etc.

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Should occasion require, the British Consul at Yunnan Fu will be requested to use his good offices in the case of any American interests in his jurisdiction.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary & Minister

Plenipotentiary of the

United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
SEP 17 1904
BUREAU.

No. 1678.

Rec'd Sept. 22

August 3, 1904.

4 Copies deposited in Library Sept 21.04 WM Darnell

Mr. Conger to the Secretary of State.

CHIEF CLERK,
SEP 17 1904
Department of State.

Subject:

Transmitting four copies of "Recent Chinese Legislation relating to Commercial, Railway and Mining Enterprises" by Mr. Williams, Chinese Secretary of this Legation.

4 Copies herewith.

No. 1678

August 3, 1904.

Mr. Conger to the Secretary of State.

Subject:

Transmitting four copies of "Recent Chinese Legislation relating to Commercial, Railway and Mining Enterprises" by Mr. Williams, Chinese Secretary of this Legation.

No. 1678

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 3rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit, under separate cover, four copies of a book entitled "Recent Chinese Legislation Relating to Commercial, Railway and Mining Enterprises," translated by Mr. Williams, Chinese Secretary of this Legation,

and to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Four books under separate cover.

No. 1678

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA

August 3rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit, under separate cover, four copies of a book entitled "Recent Chinese Legislation Relating to Commercial, Railway and Mining Enterprises," translated by Mr. Williams, Chinese Secretary of this Legation,

and to be, Sir,

Your obedient servant,

Enclosure;

Four books under separate cover.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Mr. Cloud assigned to Tientsin Nov 19 '04
To Canton Nov 21 '04

No. 1679.

August 5, 1904.

Mr. Conger to the Secretary of State.

CHIEF CLERK
SEP 17 1904
Department of State.

Subject:

Mr. F. D. Cloud, Student Interpreter, recommended for appointment as Vice Consul General and Interpreter, at Consulate General, Tientsin.

Mr Cloud appt'd Hangchow June 30 '04

Mr Heintzleman appt'd Canton Oct '04

INDEX BUREAU
JAN 3 1905
FILED

No. 1179

August 5, 1904.

Mr. Conger to the Secretary of State.

Subject:

Mr. P. D. Cloud, Student Interpreter, recommended for appointment as Vice Consul General and Interpreter, at Consulate General, Tientsin.

No. 1679.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 5th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

The Consulate General at Tientsin very much needs a competent interpreter, and such general assistance as one of our Student Interpreters could now give.

Mr. F. D. Cloud, according to the date of their commissions, is the next Student in seniority to Messrs. Haskins and Arnold who have both been given important assignments. Mr. Cloud will, in October next, have been pursuing his studies at this Legation for two full years. I therefore recommend that he be made Vice Consul General and Interpreter at Tientsin. Mr. Ragsdale approves of, and is pleased with, this recommendation.

Should a Consulate be opened at Antung in the meantime, Mr. Heintzleman will be ready for such appointment.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1679.

August 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

The Consulate General at Tientsin very much needs a competent interpreter, and such general assistance as one of our Student Interpreters could now give.

Mr. F. D. Cloud, according to the date of their commissions, is the next Student in seniority to Messrs. Hawkins and Arnold who have both been given important assignments. Mr. Cloud will, in October next, have been pursuing his studies at this Legation for two full years. I therefore recommend that he be made Vice Consul General and Interpreter at Tientsin. Mr. Hagadais approves of, and is pleased with, this recommendation.

Should a Consulate be opened at Antung in the meantime, Mr. Heintzleman will be ready for such appointment.

I have the honor to be, Sir,

Your obedient servant,

file
GP

TELEGRAM RECEIVED IN CIPHER.

To-day P. Aug 6
Arrd Aug 10
Confirm Cork

DIPLOMATIC
AUG 11 1904
BUREAU.

From Peking,
August 6, 1904.
Received 5.10 A. M.

FOR RELS. 1904.
Comp & withdrawn
8/13/04

Secretary of State,
Washington.

Sixth.

Chinese Government offers as a guarantee Whang-pu conservancy scheme the opium revenue of Szechuen Province and of Hiuchou Prefecture, Kiang-su Province - about six hundred thousand taels annually. Is it satisfactory?

CONGER

INDEX BUREAU
AUG 10 1904
FILED

...hered by the Chief Clerk's Office, 9.34 A. M.

TELEGRAM RECEIVED IN CIPHER.

Peking,

August 6, 1904.

Received 5.10 A. M.

Secretary of State,

Washington.

Chinese Government offers as a guarantee Shanghai con-
servancy scheme the opium revenue of Szechuen Province and of
Yunnan Province, Kiang-su Province - about six hundred thous-
and taels annually. Is it satisfactory?

GOODNOW

Filed in the Chief Clerk's Office, 9.54 A.M.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
SEP 16 1904
BUREAU.

No. —

August 9, 1904.

CHIEF CLERK.
SEP 17 1904
Department of State.

Mr. Conger to the Secretary of State.

INDEX BUREAU
SEP 20 1904
FILED

Subject:

George F. Smithers, of Delaware, appointed Student Interpreter at this Legation.

(Dep't Instruction No. 811, June 21st, acknowledged)

No.

August 9, 1904.

Mr. Conger to the Secretary of State.

Subject:

George P. Smithers, of Delaware, appointed Student Interpreter at this Legation.

(Dep't Instruction No. 811, June 21st, acknowledged)

No. —

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 9th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 811, of June 21st, informing me that George F. Smithers of Delaware had been appointed Student Interpreter at this Legation,

and to be, Sir,

Your obedient servant,

E. H. Conger

No. ---

August 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 811, of June 21st, informing me that George F. Smithers of Delaware had been appointed Student Interpreter at this Legation.

And to be, Sir,

Your obedient servant,

ASSISTANT SECRETARY,
SEP 26 1904

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

No. 1680.

August 12, 1904.

Mr. Conger to the Secretary of State.

FOR RELS. 1904.

Subject:

Whangpu Conservancy Scheme. Views of the Department communicated to the Chinese Government Concerted action of the Treaty Powers necessary to prevent delay.
(No. 1639 of June 22, last continued. Dep't Instruction No. 814 of June 29th, acknowledged. Telegraphic correspondence confirmed. Enclosing copies of correspondence with F. O.)

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CHIEF CLERK,
SEP 20 1904
Department of State.

No. 1650.

August 12, 1904.

Mr. Conger to the Secretary of State.

Subject:

Wanpoo Conservancy Scheme. Views of the Department communicated to the Chinese Government Concerted action of the Treaty Powers necessary to prevent delay.

(No. 1639 of June 22. Last continued. Dep't Instruction No. 814 of June 29th, acknowledged. Telegraphic correspondence confirmed. Ongoing copies of correspondence with F. O.)

No. 1640.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1639 of June 22nd last, I have now the honor to confirm our recent telegraphic correspondence concerning the Whangpoo Conservancy, as follows:

Peking, August 6th, 1904.

Secstate, Washington.

Sixth. Chinese Government offers as a guaranty Whangpoo Conservancy scheme, the opium revenue of Szechuen province and of Hsuchou prefecture Kiangsu province, about six hundred taels annually. Is it satisfactory?

(Signed) Conger.

Washington, August 10th, 1904.

Conger, Peking.

Tenth. Your telegram sixth. We cannot pronounce on sufficiency of guarantee offerred by Chinese Government for Whangpoo Conservancy scheme. Suggest banks be asked. Some kind bond measure seems indispensable as organization of work and plant needed would (require) twice amount of revenue you mention. Full programme of plan for work and maintenance must be submitted before we can consider abrogation provisions final protocol.

(Signed) Hay.

I also acknowledge receipt by our last mail of Department Instruction No. 814, of June 29th, and enclose copies of my recent correspondence with His Imperial Highness, Prince Ch'ing.

I have

No. 1582.

August 12th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing the subject matter of my No. 1559 of June 22nd last, I have now the honor to confirm our recent telegraphic correspondence concerning the Whangpoo Conservancy, as follows:

Peking, August 6th, 1904.

Secretary, Washington.

Sixth. Chinese Government offers as a guaranty Whangpoo Conservancy volume, the opium revenue of Szechuan province and of Hunnan prefecture Kiangsu province, about six hundred taels annually. Is it satisfactory?

(Signed) Conger.

Washington, August 10th, 1904.

Conger, Peking.

Tenth. Your telegram sixth. We cannot pronounce on sufficiency of guarantee offered by Chinese Government for Whangpoo Conservancy volume. Suggest banks be asked. Some kind bond measure seems indispensable as organization of work and plant needed would (require) twice amount of revenue you mention. Full programme of plan for work and maintenance must be submitted before we can consider ratification provisions Final protocol.

(Signed) Hay.

I also acknowledge receipt by our last mail of Department Instruction No. 814, of June 25th, and enclose copies of my recent correspondence with His Imperial Highness, Prince Ch'ing.

I have

I have, in private conference with my British and German colleagues, clearly explained your position, and shall do so with others after the Chinese make a definite proposal, or opportunely before.

The British and German Ministers personally agree with me and are consulting their Governments.

The Chinese Government can, if it desires, furnish the funds and do this work promptly and satisfactorily, but it must be done under competent foreign supervision. I am not certain, however, that it is really desirous to have the work done, but am inclined to believe that this last proposal is only made to avoid having the work done under the arrangement provided for in the Final Protocol, which has always been very objectionable to the Chinese Government.

If it can be delayed by further deliberate negotiations, I apprehend they will be quite pleased.

In my judgment, the only way to secure the early commencement of the work, or even to make the Chinese hasten in their efforts to conclude negotiations upon their new proposal, is to make them understand that the Powers are in earnest in their insistence that the work shall be carried out in strict accordance with the provisions of the Protocol, and that if the Chinese Government will not take hold, as by its terms they have promised, then the Powers will at once organize the Commission and proceed to its execution without it. Rather than this China will do anything possible.

However, the agreement of the Powers is the first essential, and I am sure this can be much more easily secured directly by the home Governments than by their Representatives here.

Many of the Ministers are at present away from the

city

I have, in private conference with my British and German colleagues, clearly explained your position, and shall do so with others after the Chinese make a definite proposal, or opportunely before.

The British and German Ministers personally agree with me and are consulting their Governments.

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However, the agreement of the Powers is the first essential, and I am sure this can be much more easily secured directly by the home Governments than by their Representatives here.

Many of the Ministers are at present away from the

city

city for the summer, but will probably have returned by the time the Chinese are ready to present the full programme and plan demanded.

In this connection I confirm your undated telegram received the 26th ult:

Conger, Peking.

Proposals Nanking Viceroy concerning Whangpu conservancy unobjectionable to this Government, if sufficient guaranties of early action and satisfactory conclusion of work promptly secured. Urge immediate attention consideration and final settlement this important question.

(Signed) Hay.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to Prince Ch'ing, June 27th, 1904.
2. Mr. Conger to Prince Ch'ing, July 25th, 1904.
3. Prince Ch'ing to Mr. Conger, July 31st, 1904.
4. Mr. Conger to Prince Ch'ing, August 1st, 1904.
5. The Foreign Office to Mr. Conger, Aug. 5th, 1904.
6. Mr. Conger to Prince Ch'ing, August 11th, 1904.

city for the summer, but will probably have returned by the time the Chinese are ready to present the full programme and plan demanded.

In this connection I confirm your undated telegram received the 28th ult:

Conger, Peking.

Proposals Manking Viceroy concerning Wenchow concessionary objectionable to this Government, if sufficient guaranties of early action and satisfactory conclusion of work promptly secured. Urge immediate attention consideration and final settlement this important question.

(Signed) Hay.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Mr. Conger to Prince Ch'ing, June 27th, 1904.
2. Mr. Conger to Prince Ch'ing, July 25th, 1904.
3. Prince Ch'ing to Mr. Conger, July 31st, 1904.
4. Mr. Conger to Prince Ch'ing, August 1st, 1904.
5. The Foreign Office to Mr. Conger, Aug. 8th, 1904.
6. Mr. Conger to Prince Ch'ing, August 11th, 1904.

Enclosure No. 1 In Despatch No. 1690.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, June 27th, 1904.

Your Imperial Highness:

I have the honor to state that I have received telegraphic instructions from the Department of State directing me to make some inquiries from Your Imperial Highness in regard to China's proposals concerning the Whangpu Conservancy matter. My Government would like to know definitely just what guaranties of early action and satisfactory conclusion of the work China will give in the event of the other Powers being willing to accept the new proposals recently made by the Chinese Government.

I have the honor, therefore, to request Your Imperial Highness to send me a definite and detailed reply in regard to the above-mentioned guaranties that I may transmit the report to my Government for their consideration without delay. The Whangpu Conservancy matter is a question of the highest importance, and I am constrained once more to urge the immediate attention of your Imperial Highness to the consideration of this question, the final settlement of which is of so much consequence and has been so long delayed.

Trusting that I will receive an early reply, I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 2 In Despatch No. 1680.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, July 25th, 1904.

Your Imperial Highness:

On June 27th last, by direction of my Government, I had the honor to address a note to Your Imperial Highness inquiring what guarantees of early action and satisfactory conclusion of the work China would give, in case the signatory Powers agreed to accept the new proposals of the Chinese Government concerning the Whangpu Conservancy matter. To this I have as yet received no reply.

In order that I may inform my Government, I regret that I am obliged to again ask Your Imperial Highness for the courtesy of an early reply.

I also avail myself of opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

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I also avail myself of opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No. 3 In Despatch No. 1680

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt of Your Excellency's note, saying that by direction of your Government you had the honor to inquire(on June 27th of this year)what guarantees of early action and satisfactory conclusion of the work China would give, in case the signatory Powers agreed to accept the new proposals of the Chinese Government concerning the Whangpu Conservancy matter. In order that you might inform your Government, Your Excellency requested the courtesy of an early reply.

I have the honor to state that upon receipt of the above my Board at once communicated with the Board of Revenue asking them to make a thorough and satisfactory reply as soon as possible. This is on record. Upon receipt of Your Excellency's second letter, pressing the matter, my Board again wrote to the Board of Revenue urging them to action, and have received a reply from that Board as follows:

"In improving the Whangpu River the yearly expenses should be supplied as they come due by China herself. Of these expenses the Province of Chiangnan(Anhui and Kiangsu) will raise Tls. 230,000 and the remaining Tls. 230,000 will be supplied in full by this Board. This is without doubt an important work, and we trust you will transmit this our report to the United States Minister."

It appears, then, that China herself will assume the expenses of improving the Whangpu River, these expenses amounting to Tls. 460,000 a year, and the Board of Revenue has guaranteed to be responsible for appropriating the funds. If the signatory Powers agree to the plan as proposed by this Board this matter will be brought to an early completion.

It becomes my duty, therefore, to make this reply to

Your

Enclosure No. 4 in Despatch No. 1650

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt of Your Excellency's note, saying that by direction of your Government you had the honor to inquire(on June 27th of this year)what guarantees of early action and satisfactory consideration of the work China would give, in case the signatory Powers agreed to accept the new proposals of the Chinese Government concerning the Whangpu Conservancy matter. In order that you might inform your Government, Your Excellency requested the courtesy of an early reply.

I have the honor to state that upon receipt of the above my Board at once communicated with the Board of Revenue asking them to make a thorough and satisfactory reply as soon as possible. This is on record. Upon receipt of Your Excellency's second letter, pressing the matter, my Board again wrote to the Board of Revenue urging them to action, and have received a reply from that Board as follows:

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It becomes my duty, therefore, to make this reply to

Your

Your Excellency's letter, and I trust you will transmit the information to the Department of State. At the same time I avail myself of the oppertunity to wish Your Excellency the compliments of the day.

Cards enclosed.

Sixth Moon, 19th Day. (July 31st, 1904)

Your Excellency's letter, and I trust you will transmit the information to the Department of State. At the same time I avail myself of the opportunity to wish Your Excellency the compliments of the day.

Cards enclosed.

Sixth Moon, 19th Day. (July 31st, 1904)

Enclosure No. 4 In Despatch No. 1680.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 1st, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Highness' note of the 31st ult. in response to my two notes asking what guarantees of early action and satisfactory conclusion of the work China would give in case the signatory Powers would agree to accept the new proposals of the Chinese Government concerning the Whangpu Conservancy matter.

It is to be regretted that communication does not by any means reply to the inquiry of my Government made in my notes. Your Highness' statement is practically that the provinces of Anhui and Kiangsu and the Board of Revenue will furnish the necessary funds. What my Government wants to know, and what the other Governments will unquestionably require, is that ample and sufficient guaranty of some kind shall be given, that will, under any and all circumstances insure the actual furnishing of the money promised, and its expenditure annually, upon the work. This cannot be considered an unreasonable condition, in view of the fact that nearly four years ago China agreed in the final Protocol to an excellent plan for this work, but which, instead of carrying out, she has persistently obstructed by her failure to appoint her member of the Commission. I must therefore again ask Your Imperial Highness to kindly reply to my Government's inquiry, and state specifically what guaranty the Chinese Government will furnish to the Powers that these funds as promised will be forthcoming. If such satisfactory guaranty can be furnished, my Government will not object to the new proposals. Otherwise it will insist that the plain agreement of the Protocol be

promptly

Enclosure No. 4 In Despatch No. 1680.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 1st, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt of Your Highness' note of the 31st ult. In response to my two notes asking what guarantees of early action and satisfactory conclusion of the work China would give in case the signatory Powers would agree to accept the new proposals of the Chinese Government concerning the Whangpu Conservancy matter.

It is to be regretted that communication does not by any means reply to the inquiry of my Government made in my notes. Your Highness' statement is practically that the provinces of Anhui and Kiangsu and the Board of Revenue will furnish the necessary funds. What my Government wants to know, and what the other Governments will undoubtedly require, is that ample and sufficient guaranty of some kind shall be given, that will, under any and all circumstances insure the actual furnishing of the money promised, and its expenditure annually, upon the work. This cannot be considered an unreasonable condition, in view of the fact that nearly four years ago China agreed in the final Protocol to an excellent plan for this work, but which, instead of carrying out, she has perpetuately obstructed by her failure to appoint her member of the Commission. I must therefore again ask Your Imperial Highness to kindly reply to my Government's inquiry, and state specifically what guaranty the Chinese Government will furnish to the Powers that these funds as promised will be forthcoming: If such satisfactory guaranty can be furnished, my Government will not object to the new proposals. Otherwise it will insist that the plain agreement of the Protocol be promptly

promptly and faithfully executed.

I take the occasion to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

promptly and faithfully executed.

I take the occasion to renew to Your Imperial High-
ness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and
Minister Plenipotentiary
of the United States.

To His Imperial Highness, Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 5 In Despatch No. 1680.

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt on the 12th(?)inst. of Your Excellency's reply, saying that it was to be regretted that our communication did not clearly reply to the inquiry repeatedly made in Your Excellency's notes regarding the Whangpoo Conservancy Scheme, which was: "If the various Powers should consent to the plan proposed by China, what guaranty will China give that the work will be performed?" Your Excellency further stated that our reply was nothing more than that the provinces of the Kiangnan and the Board of Revenue would supply the necessary funds; and that what your Government wanted to know, and what the other Governments would certainly require was that some reliable guaranty should be given that under any circumstances whatever, the necessary funds would certainly each year be promptly appropriated; that you had again to request that s speedy reply be made to this inquiry; that the meaning of your Government's inquiry was that a definite statement should be made as to what surety would be given that each year the funds would be certainly appropriated; that, if such satisfactory guaranty could be given, your Government could not but consent to the new plan proposed, but that otherwise it would insist that the matter be dealt with according to the original terms of the Protocol.

Upon the receipt of Your Excellency's note, our Board at once communicated its contents to the Ministers of the Board of Revenue, and discussed the matter with them very thoroughly. The annual amount to be furnished for the proposed improvement of the Whangpoo is Tls. 460,000, all of which China agrees to promptly appropriate year by year. Now we find that the annual revenue from opium in the province of Szechuen amounts in round numbers to Tls.

400,000,

Enclosure No. 5 In Despatch No. 1860.

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt on the 12th(?)inst. of Your Excellency's reply, saying that it was to be regretted that our communication did not clearly reply to the inquiry repeatedly made in Your Excellency's notes regarding the Whangpoo Conservancy Scheme, which was: "If the various Powers should consent to the plan proposed by China, what guarantee will China give that the work will be performed?" Your Excellency further stated that our reply was nothing more than that the provinces of the Kiangnan and the Board of Revenue would supply the necessary funds; and that what your Government wanted to know, and what the other Governments would certainly require was that some reliable guarantee should be given that under any circumstances whatever, the necessary funds would certainly each year be promptly appropriated; that you had again to request that a speedy reply be made to this inquiry; that the meaning of your Government's inquiry was that a definite statement should be made as to what surety would be given that each year the funds would be certainly appropriated; that, if such satisfactory guarantee could be given, your Government could not but consent to the new plan proposed, but that otherwise it would insist that the matter be dealt with according to the original terms of the Protocol.

Upon the receipt of Your Excellency's note, our Board at once communicated its contents to the Ministers of the Board of Revenue, and discussed the matter with them very thoroughly. The annual amount to be furnished for the proposed improvement of the Whangpoo is Tls. 450,000, all of which China agrees to promptly appropriate year by year. Now we find that the annual revenue from opium in the provinces of Szechuen amounts in round numbers to Tls. 400,000,

400,000, and that revenue from opium in the Prefecture of Hsü-chou, in Kiangsu Province, amounts in round numbers to Tls 200,000 per annum, making together a total amount in excess and never less than the total amount required for the annual expenditure upon the improvement of the Whang-poo, which is Tls. 460,000, and we have the honor in reply to Your Excellency's inquiry to submit these two items of opium revenue as the guaranty asked. We hope you will communicate this to your honorable Government and hope we may have a speedy reply, for which we shall be grateful.

We avail ourselves of the opportunity to wish you the compliments of the day.

Cards enclosed.

Sixth Moon, 24th Day. (August 5th, 1904)

400,000, and that revenue from opium in the Prefectures of Hsü-chou, in Kiangsu Province, amounts in round numbers to Tls 200,000 per annum, making together a total amount in excess and never less than the total amount required for the annual expenditure upon the improvement of the Whangpoo, which is Tls. 460,000, and we have the honor [illegible] ply to Your Excellency's inquiry to submit these two items of opium revenue as the guaranty asked. We hope you will communicate this to Your honorable Government and hope we may have a speedy reply, for which we shall be grateful.

We avail ourselves of the opportunity to wish You the compliments of the day.

Cards enclosed.

Sixth Moon, 24th Day. (August 5th, 1904)

Enclosure No. 6 In Despatch No. 1686.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 11, 1904.

Your Imperial Highness:

In reply to Your Imperial Highness' note of the 5th inst. stating that the Chinese Government would give as a guaranty for the faithful carrying out of the proposed Whangpoo Conservancy scheme certain opium revenues, I have the honor to say that I at once telegraphed the substance of Your Highness' note to my Government, and have received a reply to the effect that, while it is not willing to deny the sufficiency of the revenue proposed as a guaranty, yet it thinks that in view of the enormity of the enterprise, the great cost of organizing the work, and of the necessary plant and the long continuance of the work, that some kind of satisfactory bond measure should be arranged.

At any rate before my Government can consider any abrogation of the provisions of the final protocol, a full programme of the plans for work and maintenance must be submitted.

If then China is really desirous of promptly taking up this work and hastening it to a conclusion, I suggest that she forthwith present to the representatives of the Powers a full and detailed plan which, secured by the revenues mentioned and supported by some kind of bond measure, will insure the speedy and satisfactory carrying out of the important work and its permanent maintenance in good condition.

If this should be done at once, my Government will not oppose it, and I shall be glad personally to do whatever I properly may for its furtherance.

It should be clearly understood, however, that, whereas the United States is willing to waive temporarily its right to insist on China complying with the terms agreed

Enclosure No. 6 In Despatch No. 166

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 11, 1904.

Your Imperial Highness:

In reply to Your Imperial Highness' note of the 5th inst. stating that the Chinese Government would give as a guaranty for the faithful carrying out of the proposed Whangpoo Conservancy scheme certain opium revenues, I have the honor to say that I at once telegraphed the substance of Your Highness' note to my Government, and have received a reply to the effect that, while it is not willing to deny the sufficiency of the revenue proposed as a guaranty, yet it thinks that in view of the enormity of the enterprise, the great cost of organizing the work, and of the necessary plant and the long continuance of the work, that some kind of satisfactory bond measure should be arranged.

At any rate before my Government can consider any abrogation of the provisions of the final protocol, a full programme of the plans for work and maintenance must be submitted.

promptly

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If this should be done at once, my Government will not oppose it, and I shall be glad personally to do whatever I properly may for its furtherance.

It should be clearly understood, however, that, wherever the United States is willing to waive temporarily its right to insist on China complying with the terms agreed

to by her in Article VI of the Final Protocol concerning the improvement of the course of the Whangpoo River, it will do so only so long as the Chinese Government promptly and satisfactorily discharges the new obligations which it now wishes to assume. Should it become evident at a later date that the conservancy work is not being done promptly, or that a disposition is evidenced not to carry out the work to the satisfactory of all interests concerned, the United States will insist upon full and strict compliance with the terms of the original agreement.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger,

Envoy Extraordinary and
Minister Plenipotentiary of
the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

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Envoy Extraordinary and
Minister Plenipotentiary of
the United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

ASSISTANT SECRETARY,
AUG 15 1904

TELEGRAM RECEIVED IN CIPHER.

From Peking,

August 15, 1904.

Received 8.33 A. M.

AUG 16 1904
BUREAU.

Secretary of State,

Washington.

Fifteenth.

Russian Minister has sent to Chinese Government strong note charging it with complicity in the RETSCHITELNI affair, or Chinese commodore with cowardice or treason, and demanding full explanation, the restoration of destroyer, and severe punishment of the Commodore. The conduct of both Japanese and Chinese naval officers is generally condemned here, and unless both Governments promptly disavow responsibility and make possible amends, serious complications are probable.

Chinese Government have demanded from Japanese the restoration of destroyer.

CONGER

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ered by the Chief Clerk's Office, 9.45 A. M.

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It should be clearly understood, however, that, whereas the United States is willing to waive temporarily its right to insist on China complying with the terms agreed

Rockhill

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

For. Rels. 1906.

DIPLOMATIC
SEP 26 1904
BUREAU.

No. 1681.

August 15, 1904.

Mr. Conger to the Secretary of State.

Com. & Labor Oct. 6
To Interior Dept. Oct. 7 1904

Subject:

Trade Mark Regulations, approved, will be put in force tentatively October 23rd next. Enclosing copy of, and of correspondence with Foreign Office and Consul General Goodnow.

Paraphrase of correspondence and a copy of regulations forwarded to Com. & Labor Oct. 4, 1904.
Bureau of Trade Relations.

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OCT 17 1904
FILED

CHIEF CLERK,
SEP 20 1904
Department of State.

No. 1(18)

August 13, 1904.

Mr. Dawson to the Secretary of State.

Subject:

Trade Mark Regulations, approved, will be put in force tentatively October 23rd next. Enclosing copy of, and of correspondence with Foreign Office and Consul General Goodnow.

Sheets of paragraphs forwarded to Com. & Labor Oct. 4, 07. Bureau of Trade Relatio

Minister Conger forwards from Peking to the Department of State, under date of Aug 15 last, a copy of the trade-mark regulations which, having received the approval of the Chinese Government, will be put into force tentatively on October 23, 1904. The regulations were submitted to Minister Conger for suggestions from him before their adoption by the Chinese Government, and were forwarded by him to Consul-General Goodnow at Shanghai, for expressions of opinion by the American merchants there. In a note to the Chinese Government, Mr. Conger informed it that the Shanghai merchants found the regulations burdensome in a number of particulars; and Mr. Conger stated that, in his opinion, they were too complicated in places and imposed too great a tax upon the mercantile classes. Inasmuch, however, as the Chinese Board of Commerce had stated that the regulations were provisional only and might be amended at any time, Minister Conger informed the Chinese Government that he would make no objection to their being put into operation on October 23, provided the period of exclusive use of the trade mark be made 30 years, as in the United States, instead of 20 years, and provided, also, that the changes suggested by the British Minister and indicated in a revised copy of the regulations sent to him by the Board of Commerce, be adopted. Minister Conger added: "It must be distinctly understood, however, that this statement is made upon the condition that, in addition to the changes suggested above, other amendments may be suggested in the future, as the experience of American merchants may suggest, and that due consideration may be given to them."

Replying to Mr. Conger's note, Prince Ch'ing, for the Chinese Government, stated that the Board of Commerce had made the changes suggested by the British Minister; that the question of extension of the trade-mark period would be the subject of further consideration, and that if merchants, in the future, should desire to have changes, excisions, or amendments made, their requests would receive attention. It was added that the regulations were experimental and that should any of the ministers of other countries have suggestions to make, their views would be taken into friendly consideration.

The regulations as promulgated follow:

Minister Concer fc

No. 1681.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to your No.797 of May 19th last, I have the honor to transmit herewith a copy of the Trade Mark Regulations which have now received Imperial approval, and tentatively will be put in force on the 23rd of October next.

I enclose also copies of correspondence with the Foreign Office, and with Consul General Goodnow, concerning them.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Copy of Trade Mark Regulations.
2. Prince Ch'ing to Mr. Conger, July 25th, 1904.
3. Mr. Conger to Prince Ch'ing, August 5th, 1904.
4. Prince Ch'ing to Mr. Conger, August 12th, 1904.
5. Prince Ch'ing to Mr. Conger, August 12th, 1904.
6. Mr. Conger to Mr. Goodnow, July 21st, 1904.
7. Mr. Goodnow to Mr. Conger, August 4th, 1904.
8. Mr. Conger to Mr. Goodnow, August 13th, 1904.

Enclosure No. 1. Despatch No. 1681.

Regulations for the Registration of Trade Marks
to be operated experimentally.

1. Any one, no matter whether Chinese or Foreigner, who desires to have the exclusive use of a trade mark, must first register the same according to these regulations.

A distinctive design, inscription, and emblem, either all three employed in combination, or any one or two of them, constitute the essential characteristics of a trade mark.

2. The Board of Commerce will establish a Bureau of Registration to attend especially to matters of registration, and the Customs at Tientsin and Shanghai will serve as Branch Offices for receiving applications, to the greater convenience of those who apply, who may present their petitions at the place nearest to them.

3. Applicants for registration may either send their applications direct to the Bureau of Registration or forward them through a branch office of application.

4. Every application must be accompanied by a description in which there shall be inclosed three impressions of the trade mark. The description shall clearly and correctly explain, in a general way, the pattern of the trade mark and tell on what sort of goods it is to be used, and to what class they belong according to the classification appended to the Subordinate Rules annexed to these Experimental Regulations. If the application be forwarded through a branch office of application, duplicates must be made both of the application and the description.

5. The Bureau of Registration, having received an application, and having found nothing in it contrary to the requirements, shall file the same for six months, and if within that time no person shall have petitioned against the registration, the said trade mark shall be registered.

6. If applications be made for the registration of trade marks which are similar to one another and which are

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Enclosure No. 1 to Despatch No. 1681.

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6. If applications be made for the registration of trade marks which are similar to one another and which are

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to be used upon the same sort of goods, registration must be granted to the one first making application. If the several applications be presented at the same time on the same day, permission to register must be given to all.

7. In case of a trade mark already registered in a foreign country, if application for its registration in China be made within four months from the date of its registration abroad, the date of such registration abroad may be recognized.

8. Trade marks of the character specified below shall be refused registration:

(i) Those which destroy respect for rank, do injury to the customs of the country, and(are likely to)deceive the people.*

(ii) Those which imitate the impressions of seals esespecially reserved for the use of the Government(such as the Imperial Seal and the oblong lead seals of the various yamens),or which imitate the designs of the Imperial Flag, the military banners, or decorations conferred for merit.

(iii)A trade mark identical with one already registered belonging to another person, or identical with one in public use in China more than two years before the present application shall have been made, or trade marks similar to either of the above if used upon the same sort of goods.

(iv) Those which cannot be recognized by some distinctive feature.

9. The term during which any merchant, Chinese or Foreigner, may be allowed exclusive use of a trade mark shall be twenty years beginning with the date of registration by the Bureau. But trade marks already registered in

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* For instance such as use official emblems, or employ pictures which Chinese may regard as improper.

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another country and for whose registration here application shall have been made according to the Regulations shall be allowed a term of exclusive use corresponding to that provided for in the registration abroad. (But in no case shall such term extend beyond twenty years.)

10. If after the expiration of the term of exclusive use it should be desired to extend such term, and application for a renewal of registration be made within six months before the expiration of the term of exclusive use, such application for renewal may be allowed.

11. Should the owner of a trade mark already registered desire to sell to some one else the right to its exclusive use, or should he find it necessary to share its exclusive use with others, he must at once make application at the Bureau of Registration for registration of the chang

12. If any trade mark already registered shall be found to violate the provisions of (i), (ii), and (iv) of Regulation 8, the Bureau of Registration may cancel the registration of such trade mark.

13. If a trade mark already registered shall be found to violate the provisions of Regulation 6, or those of (iii) of Regulation 8, the injured party may make application to have the registration of such trade mark annulled. But this provision shall not apply to any trade mark already registered for three years.

14. If, upon application having been made for the registration of a trade mark, the Bureau of Registration shall find that such trade mark does not comply with the requirements, the Bureau shall endorse clearly upon the rejected application the reasons for refusing registration.

15. Any person unwilling to submit to the refusal mentioned in the preceding Regulation may within six months after the date of the said refusal present a statement of facts and request the Bureau of Registration to reconsider

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another country and for whose registration here application shall have been made according to the Regulations shall be allowed a term of exclusive use corresponding to that provided for in the registration abroad. (But in no case shall such term extend beyond twenty years.)

10. If after the expiration of the term of exclusive use it should be desired to extend such term, and application for a renewal of registration be made within six months before the expiration of the term of exclusive use, such application for renewal may be allowed.

11. Should the owner of a trade mark already registered desire to sell to some one else the right to its exclusive use, or should he find it necessary to share its exclusive use with others, he must at once make application at the Bureau of Registration for registration of the change.

12. If any trade mark already registered shall be found to violate the provisions of (i), (ii), and (iv) of Regulation 8, the Bureau of Registration may cancel the registration of such trade mark.

13. If a trade mark already registered shall be found to violate the provisions of Regulation 8, or those of (iii) of Regulation 8, the injured party may make application to have the registration of such trade mark annulled. But this provision shall not apply to any trade mark already registered for three years.

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the application.

16. If in any application for the registration of a trade mark the owner of the trade mark shall not be in China, or if he should reside at a considerable distance from the Bureau of Registration, he must select a reliable friend and report him as his agent or representative.

17. Should any one desire to make a copy of any records in the trade mark registration files, or examine the same, he may make application for such privilege either at the Bureau of Registration or at one of the Branch Offices. If he shall reside at a considerable distance his agent or representative may make such application.

18. The Bureau of Registration shall publish trade mark Reports, announcing therein for the information of the public what trade marks have been registered and the circumstances connected with the cancellation of any registration.

19. Should any one infringe the right to the exclusive use of a trade mark, the owner thereof may bring suit against the offender, who shall be required to pay damages if investigation sustain the charges made.

20. In case of a suit for the infringement of a trade mark, procedure shall be as follows: 1) If the defendant be a foreigner, the local Magistrate shall send a despatch informing the Consul of defendant's nationality and shall sit with him in a trial of the case. 2) If the defendant be a Chinese, the Consul concerned shall send a despatch informing the local Magistrate and shall sit with him in a trial of the suit. 3) If both parties to the suit should be foreigners, or if both parties should be Chinese, immediately upon information being given of the infringement, the Court or officer having jurisdiction will take action as required, so that due protection may be given.

21. Any one guilty of any of the following offences may be punished with not more than one year's imprisonment

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21. Any one guilty of any of the following offences may be punished with not more than one year's imprison-

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ment and not more than Three Hundred Taels fine, but no action shall be taken against any such offender except after suit duly brought by the injured party:

(i) Imitation of another's trade mark with the purpose of using such imitation upon the same sort of goods as that on which the original is used, or selling such imitation.

(ii) Making an imitation of another's trade mark and using the same upon the same sort of goods as those upon which the original is used, or with a knowledge of the circumstances selling such goods or storing them with the intention to sell.

(iii)Using the imitation of another's trade mark as a shop sign in advertisement or placard.

(iv) While knowing that the receptacle used by another (such as large or small box, bottle, jar, etc.,)or the wrapper bears a registered trade mark, yet using the same for goods of the same sort as the originals; or, while knowing the circumstances, selling such goods.

(v) Purposely importing such goods into any port, knowing well that such action will injure(the sale of) another's goods which bear a registered trade mark.

22. When on account of the circumstances set forth above such counterfeit trade marks, or the instruments used in making them are seized and confiscated, the goods, receptacles and signs bearing such trade mark, since it cannot be distinguished from the genuine, shall all be destroyed.

23. Fees for application, registration and issue of certificate, etc., shall be paid by all persons, whether Chinese or foreign merchants, as follows:

(i) Application Fee, Kuan-p'ing Tls. 5.00 each mark.

(ii) Fee for registration and

issue of Certificate, " " 30.00 " "

Registration

ment and not more than Three Hundred Taels fine, but no action shall be taken against any such offender except after suit duly brought by the injured party:

(i) Imitation of another's trade mark with the purpose of using such imitation upon the same sort of goods as that on which the original is used, or selling such imitation.

(ii) Using an imitation of another's trade mark and using the same upon the same sort of goods as those upon which the original is used, or with a knowledge of the circumstances selling such goods or storing them with the intention to sell.

(iii) Using the imitation of another's trade mark as a shop sign in advertisement or placard.

(iv) While knowing that the receptacle used by another (such as large or small box, bottle, jar, etc.,) or the wrapper bears a registered trade mark, yet using the same for goods of the same sort as the original, or, while knowing the circumstances, selling such goods.

(v) Purposely importing such goods into any port, knowing well that such action will injure (the sale of) another's goods which bear a registered trade mark.

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(i) Application fee, Kuan-p'ing Tls. 5.00 each mark.

(ii) Fee for registration and

issue of Certificate, " " 30.00 " "

Regi stration

(iii)	Registration of transfer of rights, by contract of sale or partnership,	Kuan-p'ing Tls.	20.00 each
(iv)	Application for extension of expired term and renewal of registration,	"	25. "
(v)	Copy of record of registration of trade mark,	"	2.00
	(for every 100 characters over 100 50 tael cents additional.)		
(vi)	Examination of Records, for each half hour,	"	1.00
(vII)	Duplicate lost Certificate,	"	10.00 "
(viii)	Filing complaint of infringement,	"	5.00 "
(ix)	Application for reconsideration of rejected trade mark,	"	5.00 "
(x)	Application for cancellation of Registry,	"	30.00 "
(xi)	Transfer of certificate to heirs,	"	5.00 "

24. These Regulations shall be of force from and after Kuanghsu XXX Year, Ninth Moon, 15th Day. (Oct. 23d 1904)

25. Inasmuch as mutual protection is required by the treaties, if, before the Bureau of Registration shall have entered upon its duties, request for the registration of any trade mark shall have been presented at any yamen having jurisdiction the Bureau shall regard the application as having been already properly made.

26. If within six months after the Bureau shall have commenced operations application shall be made for the registration of trade marks which were already registered in another country before the Bureau began its work, the Bureau shall recognize such trade marks as entitled to precedence.

27. Although before the Bureau shall have been established various officials may have issued proclamations giving protection to various trade marks, such marks shall not receive the benefit of protection unless within six months after the opening of the Bureau application shall have

(iii) Registration of transfer of right, by Chinese Merchants, Tls.20.00 each

(iv) Application for extension of expired term and renewal of registration, " 25. "

(v) Copy of record of registration of trade mark, " 3.00

(for every 100 characters over 100 50 cent cents additional.)

(vi) Examination of Records, for each half hour, " 1.00

(vii) Duplicate lost Certificate, " 10.00 "

(viii) Filing complaints of infringement, " 5.00 "

(ix) Application for reconsideration of rejected trade mark, " 5.00 "

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27. Although before the Bureau shall have been established various officials may have issued proclamations giving protection to various trade marks, such marks shall not receive the benefit of protection unless within six months after the opening of the Bureau application shall have

have been made for registration according to the provisions of these Regulations.

28. The provisions of the three regulations immediately preceding are independent of the requirements of Regulation 5.

All of the above regulations are to be put into operation experimentally. Matters not fully provided for in them may be taken into consideration and rules referring to them be added after these shall have gone into effect.

have been made for registration according to the provisions of these Regulations.

28. The provisions of the three regulations immediately preceding are independent of the requirements of Regulation 8.

All of the above regulations are to be put into operation experimentally. Matters not fully provided for in them may be taken into consideration and rules referring to them be added after these shall have gone into effect.

Enclosure No. 2 In Despatch No. 1681.

Prince Ch'ing to Mr. Conger.

On the Tenth Day of the Sixth Moon and Thirtieth Year of Kuanghsü (July 22nd, 1904) my Board received a communication from the Board of Commerce in regard to the Trial Regulations for the Registration of Trade Marks. They say that they have received the letter from my Board saying that Sir Ernest Satow, the British Minister, had sent us a despatch saying that he had carefully examined the Regulations, and that in general they were very definite, but that they were very complicated in places, and he hoped they would be deliberated upon again and sent back. Having received this opinion from the British Minister through my Board, the Board of Commerce replied asking that we request the British Minister to select the places which should be reconsidered, and, after considering all the circumstances in the case, to decide how they should be put so as not to interfere with the general usage of other countries. In regard to this matter the Board of Commerce further says: We have recently received from you a letter saying that you had sent the same regulations to the United States Minister, and had received an acknowledgement from him saying that he had reported the matter to his Government. But it appears that requests from commercial people for the registration of trade marks have accumulated in very large numbers, and this enquiring into the regulations is causing great delay. The regulations as decided upon by the Board of Commerce are merely trial regulations and there is no reason why they should not be changed or added to at any time. Sir Ernest Satow says that they are very definitely stated, and it is very evident that this set of trial regulations are of a truth in accordance with the general usage of other countries, and are not partial in the slightest degree; we,(the Board of Commerce) ought to prepare a memorial at once to present to the Throne, in order

Enclosure No. 3 In Despatch No. 1681.

Prince Ch'ing to Mr. Conger.

On the Tenth Day of the Sixth Moon and Thirtieth Year of Kuang Hsü (July 22nd, 1904) my Board received a communication from the Board of Commerce in regard to the Trial Regulations for the Registration of Trade Marks. They say that they have received the letter from my Board saying that Sir Ernest Satow, the British Minister, had sent us a despatch saying that he had carefully examined the Regulations, and that in general they were very definite, but that they were very complicated in places, and he hoped they would be deliberated upon again and sent back. Having received this opinion from the British Minister through my Board, the Board of Commerce replied asking that we request the British Minister to select the places which should be reconsidered, and, after considering all the circumstances in the case, to decide how they should be put so as not to interfere with the general usage of other countries. In regard to this matter the Board of Commerce further says: We have recently received from you a letter saying that you had sent the same regulations to the United States Minister, and had received an acknowledgement from him saying that he had reported the matter to his Government. But it appears that requests from commercial people for the registration of trade marks have accumulated in very large numbers, and this enquiring into the regulations is causing great delay. The regulations as decided upon by the Board of Commerce are merely trial regulations and there is no reason why they should not be changed or added to at any time. Sir Ernest Satow says that they are very definitely stated, and it is very evident that this set of trial regulations are of a truth in accordance with the general usage of other countries, and are not partial in the slightest degree; we, (the Board of Commerce) ought to prepare a memorial at once to present to the Throne, in order

order that notification of these regulations may be given, and that delay may be prevented, and for that reason we ask that you will communicate with the United States Minister in the hope that he will reply in the matter."

Having received the above from the Board of Commerce, it becomes my duty to send this despatch to Your Excellency, and I trust that you will send us a reply for transmission to the Board of Commerce.

A Necessary Despatch.
Thirtieth Year of Kuanghsü, Sixth Moon, 13th Day.
(July 25th, 1904).

(SEAL.)

order that notification of these regulations may be given, and that delay may be prevented, and for that reason we ask that you will communicate with the United States Minister later in the hope that he will reply in the matter."

Having received the above from the Board of Commerce, it becomes my duty to send this despatch to Your Excellency, and I trust that you will send us a reply for transmission to the Board of Commerce.

A Necessary Despatch.

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Enclosure No. 3 In Despatch No. 1681.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 5th, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt on the 25th ultimo of Your Imperial Highness' note, communicating to me the substance of a note received ~~from~~ by your Board from the Board of Commerce with regard to the Experimental Regulations for the registration of trade marks, in which the said Board refers to my letter of June 13th in which I had asked for time to consider the Regulations, and stated that I had sent them to my Government. The Board of Commerce urges that an early reply be made, that there may be no further delay in putting the Regulations into experimental operation.

Subsequent to the receipt of Your Highness' note, Mr. T'ao of the Board of Commerce called at this Legation to inquire if there were any objections to the putting of the Regulations into operation, and I replied that it would be necessary for me to wait for the opinion of the American merchants at Shanghai, who were examining the Regulations. Although as yet I have received no reply from my Government, inasmuch as I promised that I would send a communication to Your Imperial Highness immediately upon the receipt of a reply from the American merchants at Shanghai, I have now the honor to state that I am just in receipt of a statement from these merchants of their objections to these Regulations. They find them burdensome in a number of particulars, and I am also of opinion, as I expressed myself in an earlier communication that they are too complicated in places and impose too great a tax upon the mercantile classes. Nevertheless, in view of the fact that the Board of Commerce has distinctly stated that they are

provisional

Enclosure No. 3 In Despatch No. 1589

Legation of the United States of America,

Peking, August 5th, 1904.

Your Imperial Highness:

I have the honor to acknowledge the receipt on the 25th ultimo of Your Imperial Highness' note, communicating to me the substance of a note received from by your Board from the Board of Commerce with regard to the Experimental Regulations for the registration of trade marks, in which the said Board refers to my letter of June 15th in which I had asked for time to consider the Regulations, and stated that I had sent them to my Government. The Board of Commerce urges that an early reply be made, that there may be no further delay in putting the Regulations into experimental operation.

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provisional only, and may be amended at any time, I shall not make objection to their being put into operation, as proposed on the 15th of the Ninth Moon, next(Oct.23rd) provided the period of exclusive use of a trade mark be made thirty years, as in the United States, instead of twenty years, as is proposed in the text of the Regulations sent to me, and provided the changes, already suggested by the British Minister, and indicated in a revised copy of the Regulations sent to me by the Board of Commerce three days ago, be adopted. It must be distinctly understood, however, that this statement is made upon the condition that in addition to the changes suggested above, other amendments may be suggested in the future, as the experience of American merchants may suggest, and that due consideration may be given to them.

I ought also to say that yesterday Mr. T'ao of the Board of Commerce called again at this Legation and expressed the opinion that a memorial asking for the sanction of the proposed Regulations, to be put into operation experimentally, had already been submitted to His Imperial Majesty yesterday morning. In view of the fact, however, that it is but eleven days since Your Highness' note was received, and that I had expressly requested that time be allowed me to hear from the American merchants at Shanghai, and in view of the further fact that the revised copy of the Regulations had been received by me but forty-eight hours before, I cannot believe that so great discourtesy could have been shown to my Government.

Trusting that Your Imperial Highness will at once communicate the substance of this note to the Board of Commerce and that I may have an early reply agreeing to the additional change asked, I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger.
U. S. Minister.

To H.I.H.Prince of Ch'ing,
President of the Board of Foreign Affairs.

provisional only, and may be amended at any time, I shall not make objection to their being put into operation, as proposed on the 15th of the Ninth Moon, next(Oct.23rd) provided the period of exclusive use of a trade mark be made thirty years, as in the United States, instead of twenty years, as is proposed in the text of the Regulations sent to me, and provided the changes already suggested by the British Minister, and indicated in a revised copy of the Regulations sent to me by the Board of Commerce three days ago, be adopted. It must be distinctly understood, however, that this statement is made upon the condition that in addition to the changes suggested above, other and amendments may be suggested in the future, as the experience of American merchants may suggest, and that due consideration may be given to them. Regulations into experimental I ought also to say that yesterday Mr. T'ao of the Board of Commerce called again at this Legation and expressed the opinion that a memorial asking for the sanction of the proposed Regulations, to be put into operation experimentally, had already been submitted to His Imperial Majesty yesterday morning. In view of the fact, however, that it is but eleven days since Your Highness' note was received, and that I had expressly requested that time be allowed me to hear from the American merchants at Shanghai, and in view of the further fact that the revised copy of the Regulations had been received by me but forty-eight hours before, I cannot believe that so great discourtesy could have been shown to my Government. Trusting that Your Imperial Highness will at once communicate the substance of this note to the Board of Commerce and that I may have an early reply agreeing to the additional change asked, I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger.
U. S. Minister.

To H.I.H.Prince of Ch'ing,
President of the Board of Foreign Affairs.

Enclosure No. 4 In Despatch No. 1681

Prince Ch'ing to Mr. Conger.

On the 27th of the Sixth Moon, the XXX Year of Kuang-hsü, (Aug. 8th, 1904) I received a communication from the Board of Commerce saying that they had submitted in a memorial the Experimental Regulations for the Registration of Trade Marks and that they had received the Imperial sanction, and that, as in duty bound, they had had copies printed both of the memorial and the Regulations which they sent to me that I might forward them to the Ministers of foreign Governments residing in Peking, to be made known by them to the merchants of their various nationalities, that they might uniformly observe the same.

I have the honor, therefore, as in duty bound, to forward, as requested, a copy of the said Experimental Regulations to Your Excellency for your examination.

A Necessary Despatch.

Inclosure:-One copy of the Regulations.

Kuanghsü XXX Year, Seventh Moon, 2nd Day (August 12th, 1904)

Enclosure No. 4 In Despatch No. 183

Prince Ch'ing to Mr. Conger.

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Board of Commerce saying that they had submitted in a mem-
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they sent to me that I might forward them to the Ministers
of foreign Governments residing in Peking, to be made known
by them to the merchants of their various nationalities,
that they might uniformly observe the same.

I have the honor, therefore, as in duty bound, to
forward, as requested, a copy of the said Experimental
Regulations to Your Excellency for Your examination.

A Necessary Despatch.

Inclosure:-One copy of the Regulations.

Kuanghsü XXX Year, Seventh Moon, 2nd Day (August 12th, 1904)

Enclosure No 5 In Despatch No. 1681.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt on the 25th of the Sixth Moon, XXX Year of Kuanghsü, (August 6th 1904), of Your Excellency's despatch, saying that you had to request me to forward to the Board of Commerce three requests which you had to make in the matter of the registration of Trade Marks, and that you hoped for a reply.

I at once communicated them to the Board of Commerce and now have its reply as follows:-

"His Excellency, Mr. Conger's despatch says that, if we will consent to three requests which he makes, he will have no objection to the putting of the Regulations proposed by the Chinese Government into operation on the 15th of the Ninth Moon (Oct.23).

As to Mr. Conger's first request that we should make the changes suggested by the British, our Board has already complied with it. As to the second affecting the period of registration, we must first examine into the periods adopted by various countries and after consultation we shall reply. As to the third, that if merchants in the future should desire to have changes, excisions, or amendments made, the Bureau of Registration should agree to give them due consideration, we find that as to the Regulations proposed by this Board we long ago stated distinctly that they were experimental, as the records will show. Hereafter, should any of the Ministers of other countries have suggestions to make in this matter, provided they are not greatly at variance with the Regulations of other nations, most certainly the matter of making the changes will be taken into friendly consideration.

We had already sent a note to His Excellency, Mr. Conger; setting forth the facts as to our having submitted a memorial and made announcement, and we have now the hon-

or

Enclosure No. 2 In Despatch No. 152.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt on the 25th of the Sixth Moon, XXX Year of Kuang Hsu, (August 6th 1904), of Your Excellency's despatch, saying that you had to request me to forward to the Board of Commerce three requests which you had to make in the matter of the registration of Trade Marks, and that you hoped for a reply.

I at once communicated them to the Board of Commerce and now have its reply as follows:-

"His Excellency, Mr. Conger's despatch says that, if we will consent to three requests which he makes, he will have no objection to the putting of the Regulations proposed by the Chinese Government into operation on the 15th of the Ninth Moon (Oct.25).

As to Mr. Conger's first request that we should make the changes suggested by the British, our Board has already complied with it. As to the second affecting the period of registration, we must first examine into the modes adopted by various countries and after consultation we shall reply. As to the third, that if merchants in the future should desire to have changes, excisions, or amendments made, the Bureau of Registration should agree to give them due consideration, we find that as to the Regulations proposed by this Board we long ago stated distinctly that they were experimental, as the records will show. Hereafter, should any of the Ministers of other countries have suggestions to make in this matter, provided they are not greatly at variance with the Regulations of other nations, most certainly the matter of making the changes will be taken into friendly consideration.

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or

or to send this communication to the Board of Foreign Affairs requesting that it be examined and reply in accordance therewith be sent forward."

Having received the above, as in duty bound, I send it to Your Excellency for your consideration.

A Necessary Despatch.

Kuanghsü XXX Year, Seventh Moon, 2nd Day (August 12th, 1904).

(SEAL)

or to send this communication to the Board of Foreign Affairs requesting that it be examined and reply in accordance therewith be sent forward."

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A Necessary Despatch.

Kuangsu XXX Year,Seventh Moon,2nd Day(August 12th, 1904).

(SEAL)

Enclosure No. 6 In Despatch No. 1681.

Mr. Conger to Mr. Goodnow.

Legation of the United States of America,

Peking, July 21st, 1904.

John Goodnow, Esquire,

United States Consul General,

Shanghai.

Sir:

Referring to your No. 594 of July 8th, I enclose herein a copy of the Trade Mark Regulations which the Chinese Government proposes to put into tentative operation/

I have objected to them generally as being too complicated, but the Japanese have no objections to them, and the British are willing that they should be put into temporary operation, after making a few unimportant changes. For instance:

Strike out the word "temporarily" in line 4 of Art.2.

In line 3 of Art. 5, change three months to six months.

I will be glad if you will look them over, in conference, if you deem it necessary, with some of the merchants, and wire me whether or not you think they will answer provisionally.

You know from our experience with the Treaty negotiations, that if we propose material changes, other Representatives will propose others; this will suggest others to the Chinese, and great delay must occur. It seems to me, therefore, that since the others are willing, we also might consent to give them a trial.

These should have been sent to you some time ago, but in an unusual pressure of business for the last few weeks it has been neglected.

Hoping to hear from you as soon as possible,

I am, Sir,

Your obedient servant,

(Signed) E. H. Conger.

Enclosure;
Trade Mark Regulations.

Enclosure No. 6 In Despatch No. 1681.

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These should have been sent to you some time ago, but in an unusual pressure of business for the last few weeks it has been neglected.

Hoping to hear from you as soon as possible,

I am, Sir,

Your obedient servant,

(Signed) E. H. Conger.

Enclosure;
Trade Mark Regulations.

Enclosure No. 7 In Despatch No. 1681.

Mr. Goodnow to Mr. Conger.

Consulate-General of the United States of America,

Shanghai, August 4th, 1904.

Hon E. H. Conger,

E. E. & M. P. U. S. A.,

P e k i n g.

Sir:

I have to acknowledge receipt on July 26th of your #2469 of July 21st, and to confirm your telegram of Aug. 3rd "Have you received my 2469?"; and to my reply of the same date "Meeting business men to-day regarding 2469 will wire to-morrow"; and my telegram of this date "Merchants deem essential removal limitation time in regulation 9 and that provisions will be made for registration Hong names; they would like foreign supervision of bureau of registration and provisions for appeals and they think fees too large."

Immediately on receipt of your #2469 I asked Mr. J.N. Jameson, President of the American Association, to call a meeting of his committee with other business men concerned, as you suggested in your despatch. On account of the absence of some of them from Shanghai, the meeting could only be arranged for August 3rd. In the meantime I gave the proposed Regulations to the N.C.Daily News for publication as the quickest and easiest way to circulate them among the American Houses concerned.

The meeting was held yesterday and the Regulations were considered at length. The feeling was quite strong that it was very desirable to have some regulations at the earliest possible moment; at the same time they considered two points on which modifications seemed essential.

1. The regulations limit the time of exclusive use of the trade mark to 20 years, with a possible(not mandatory)renewal. In this the Chinese seem to have confused a trade mark

Enclosure No. 2 In Despatch No. 168.

Mr. Goodnow to Mr. Conger.

Consulate-General of the United States of America,

Shanghai, August 4th, 1904.

Hon. E. H. Conger, Minister,

U. S. M. P. U. S. A.,

P e k i n g.

Sir:

I have to acknowledge receipt on July 26th of your #2469 of July 21st, and to confirm your telegram of Aug. 3rd "Have you received my 2469?"; and to my reply of the same date "Meeting business men to-day regarding 2469 will wire to-morrow"; and my telegram of this date "Merchants deem essential removal limitation time in regulation 9 and that provisions will be made for registration Hong names; they would like foreign supervision of bureau of registration and provisions for appeals and they think fees too large." Line 3 of Art. 5, change three months to six months.

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1.am, The regulations limit the time of exclusive use of the trade mark to 20 years, with a possible(not mandatory)renewal. In this the Chinese seem to have confused a trade mark

trade mark with a Patent. You will remember that in our negatiation of the Treaty it seemed nearly impossible to explain to them the difference between a trade mark and a patent. The value of a trade mark, of course, lies in its age and the general knowledge of the people of the character of goods that are guaranteed by it. For instance, the "Devoe" mark of oil has been in use in this country for many years and it is one of the exceedingly valuable assets of the Standard Oil Company, in China. Why should they in twenty years from now be forced at the will of the Chinese Board to possibly give up the advantages of that "Devoe" mark to somebody who would offer cogent reasons why he should have the advantage of that mark? It seemed to Mr. Fiske(Tobacco Co.) and to Mr. Hunt(Standard Oil Co.) especially that this is an essential point and I am frank to admit that I agree with them.

2. The Regulations as we understand them here, do not provide for the registration of Hong names. Regulation 4 provides that an application for registration must "State what particular kind of goods it is to be used." We have been able, through our proclamations from the Viceroys, Governors and Taotais to protect the Chinese names. For instance, the Chinese name of Mustard & Co. is Ching Loong and all Chinese dealers know their products under that name, which is an exceedingly valuable asset to the Company. The American Trading Co. has the name of Mow Sung. I got them a proclamation protecting their name and the right to the exclusive use of that name has been recognized in several of the Chinese Courts, and, through the British Consul General, I succeeded in forcing Rex & Co. to quit using the Chinese name of Mow Sung in their business. It seemed to the merchants, in talking yesterday, and it seems to me, that the sacredness of a man's name should be as carefully protected in the Chinese version of it as in the foreign.

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The meeting yesterday considered as less essential three points:

1. They would like, if possible, foreign supervision of the Bureau of Registration. Their argument in favor of this is that the approval of trade marks is quite a technical matter and requires special knowledge, and they do not see at present any Chinese who has that knowledge.

2. If an application is rejected by the Bureau of Registration Article 15 provides for a re-hearing by the same bureau, but does not provide for an appeal to any higher body. They would like, if possible, an appeal to the Board of Commerce, which creates the Bureau of Registration.

3. The merchants think the fees too large. Under the schedule of fees in Article 23 it will cost Tls 37 (Haikwan)to register a trade mark. Some concerns have as high as 300 different trade marks and the expense to them would be very great.

It seems to me that there are two sides to this question. A trade mark for which there is any demand certainly would justify an outlay of Tls. 37 for its registration. If there is not business done in a particular brand to justify that outlay, then there would no temptation for any imitation of the brand. On the other hand a brand might not justify that outlay at first, but if it would be registered more cheaply there would be an inducement to the local merchant to push the sale of it and possibly make a demand for it in the future.

Of course I thoroughly agree with you as to the danger of reopening these regulations. At the same time, from my experience here, I must agree with the merchants as to the essential nature of the first two points. I question the advisability of pushing the last three.

I am, Sir,
Your obedient servant,
(Signed) John Goodnow,
Consul General U.S.A.

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I am, Sir,

Your obedient servant,

(Signed) John Goodnow,

Consul General U.S.A.

Enclosure No. 8 In Despatch No. 1681.

Mr. Conger to Mr. Goodnow.

Legation of the United States of America,

Peking, August 13th, 1904.

John Goodnow, Esquire,

United States Consul General,

Shanghai.

Sir:

I confirm your telegram of August 3rd and my reply of the 4th as follows:

Goodnow, Shanghai.

Have you received my 2469.

(Signed) Conger.

Conger, Peking.

Merchants deem essential removal limitation time in regulation nine, and that provision will be made for registration hong names. They would like foreign supervision bureau of registration and provision for appeals, and they think fees too large.

(signed) Goodnow.

Your No. 603 of August 4th is received. I have carefully noted the amendments which the merchants deem essential to the Trade Mark Regulations.

As regards the time limit it seems absolutely necessary that some limit should be made, just the same as in patents. It is done by all countries. Our country limits it to thirty years, and I have asked the Chinese to make the same limits in their regulations, which, I think, they are likely to do.

As to the Registration of hong names, that is not done by us nor by other foreign countries, and it would be useless and does not seem proper to ask this of the Chinese.

As to foreign supervision I am satisfied, after talking with my colleagues and with the Chinese officials, that this is not practicable at this time? Since most of the

applications

Enclosure No. 3 In Despatch No. 168.

Legation of the United States of America,
Peking, August 13th, 1904.

John Goodnow, Esquire,
United States Consul General,
Shanghai.

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Conger, Peking.

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As to the Registration of Hong names, that is not my views and does not seem proper to ask this of the Chinese, done by us nor by other foreign countries, and it would be

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applications

applications will be made through the Customs at Tientsin and Shanghai, they will always come under the observation, at least, of foreigners. However, should we find it necessary in practice, the matter can be taken up later.

It does not seem advisable to urge the provision for a Board of Appeal at this time.

As to the cost of registration, if the cost of the original registration and that of re-registration are counted together, it will be found less than our charges for the same.

As the English and Japanese are quite satisfied with these Regulations as they stand, it seems to me best to let them go into operation temporarily, with the definite understanding which I have with them, that amendments will be duly considered with offerred in the future.

I enclose a copy of the Regulations as they are to be promulgated, and will be glad to have the opinion of yourself and the merchants as to any changes which may be found necessary after a fair trial.

I am,

Sir,

Your obedient servant,

(Signed) E. H. Conger.

Enclosure:

Copy of Regulations as stated.

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I am,

Sir,

Your obedient servant,

(Signed) K. H. Conger.

Enclosure:

Copy of Regulations as stated.

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1904
DEPT. OF STATE

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
SEP 20.1904
BUREAU.

No. —

August 16, 1904

Mr. Conger to the Secretary of State.

Subject:

Chinese Government notified of the adherence of the Commonwealth of Australia to the Postal Convention, in compliance with Circular Instruction dated June 25 last.

INDEX BUREAU
SEP 20 1904
FILED

No. —

August 16, 1904

Mr. Conger to the Secretary of State.

Subject:

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No. —

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of June 25 last, notifying me that His Britannic Majesty's Secretary of State for the Colonies has approved and confirmed the Universal Postal Convention and the final Protocol attached thereto, on behalf of the Commonwealth of Australia; and to report that the above information has been communicated to the Chinese Government as directed.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. —

August 16th, 1904.

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Secretary of State,

Washington, D. C.

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CONSULAR BUREAU RECEIVED SEP 24 1904 DEPT OF STATE

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

File.

CONSULAR BUREAU SEP 24 1904 DEPARTMENT OF STATE

No. —

August 16, 1904.

Mr. Conger to the Secretary of State.

Subject:

Recognition of Stephen P. Barchet, as Vice and Deputy Consul General at Shanghai.

(Dep't Inst. No. 815 complied with.)

INDEX BUREAU SEP 27 1904 RECEIVED

No. — August 16, 1904.

Mr. Conger to the Secretary of State.

Subject:

Recognition of Stephen P. Barchet, as Vice and Deputy Consul General at Shanghai.

(Dep't Inst. No. 219 complied with.)

No. —

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 16th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 815 of June 29, 1904, enclosing the certificate of the appointment of Stephen P. Barchet of Maryland as Vice Consul General of the United States at Shanghai.

His formal recognition has been extended by the Foreign Office and advice to this effect has been sent to him, together with the certificate, through the Consul General.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

CHIEF CLERK,
SEP 20 1904
Department of State.

No. —

August 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 818 of June 28, 1904, enclosing the certificate of the appointment of Stephen P. Berdel of Maryland as Vice Consul General of the United States at Shanghai.

His Formal recognition has been extended by the Foreign Office and advice to this effect has been sent to him, together with the certificate, through the Consul General.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC BUREAU RECEIVED SEP 30 1904 DEPT. OF STATE

DIPLOMATIC BUREAU SEP 30 1904

No. 1692. August 16, 1904

Mr. Conger to the Secretary of State.

INDEX BUREAU FILED

Subject:

Reschitelni Affair. Strong protest of Russian Minister. Japanese Government requested by China to disavow seizure, punish naval officers and return destroyer. Attitude of Ministers of France and Germany.

(Confirming telegrams sent and received 15th inst)

CHIEF CLERK,
SEP 20 1904
Department of State.

No. 1473.

August 16, 1904

Mr. Conger to the Secretary of State.

Subject:

Reconstant Affair. Strong protest of Russian Minister. Japanese Government requested by China to disavow seizure, punish naval officers and return destroyer. Attitude of Ministers of France and Germany.

(Confirming telegram sent and received 15th inst

No. 1682.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of yesterday, and yours of the same date, as follows:

Secstate, Washington.
Fifteenth. Russian Minister has sent to Chinese Government strong note charging it with complicity in the Retschitelni affair or Chinese Commodore with cowardice or treason and demanding full explanation, the restoration of destroyer and severe punishment of the Commodore. The conduct of both Japanese and Chinese naval officers is generally condemned here and unless both Governments promptly disavow responsibility and make possible amends serious complications are probable. Chinese Government have demanded from Japanese the restoration of destroyer.
(Signed) Conger.

Conger, Peking.
Fifteenth. Yours of to-day. No facts in our possession indicate any violation of neutrality by China. The Chefoo incident concerns primarily Russia and Japan. If either or both have violated neutrality the protest should come from China as the aggrieved party.
(Signed) Hay.

The details of the seizure and removal of the torpedo destroyer from within a neutral port by the Japanese have already been given you by Mr. Fowler. The fact is surprising and disappointing, and it is to be hoped that the Japanese will at once make proper amends to the Chinese for their gross breach of neutrality.

The Chinese Government has to-day placed in the hands of the Japanese Minister a polite and friendly note requesting that the Japanese Government disavow any responsibility, punish the responsible naval officers, and return to them the destroyer.

The Russians, it is believed, have been anxiously waiting for some such incident as this which would involve the Chinese directly. They appear to be very angry, and

the

August 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm my telegram of yesterday, and yours of the same date, as follows:

Secretary, Washington.

Fifteenth. Russian Minister has sent to Chinese Government strong note charging it with complicity in the Retchitelni affair or Chinese Commodore with connivance or treason and demanding full explanation, the restoration of destroyer and severe punishment of the Commodore. The conduct of both Japanese and Chinese naval officers is generally condemned here and unless both Governments promptly disavow responsibility and make possible amends serious complications are probable. Chinese Government have demanded from Japanese the restoration of destroyer.

(Signed) Conger.

Conger, Peking.

Fifteenth. Yours of to-day. No facts in our possession indicate any violation of neutrality by China. The Chefoo incident concerns primarily Russia and Japan. If either or both have violated neutrality the protest should come from China as the aggrieved party.

(Signed) Hay.

The details of the seizure and removal of the torpedo destroyer from within a neutral port by the Japanese have already been given you by Mr. Peshar. The fact is surprising and disappointing, and it is to be hoped that the Japanese will at once make proper amends to the Chinese for their gross breach of neutrality.

The Chinese Government has to-day placed in the hands of the Japanese Minister a polite and friendly note requesting that the Japanese Government disavow any responsibility, punish the responsible naval officers, and return to them the destroyer.

The Russians, it is believed, have been anxiously waiting for some such incident as this which would involve the Chinese directly. They appear to be very angry, and

the Minister has sent to the Wai Wu Pu a most emphatic note in which he charges the Chinese Government with complicity in the affair, or, if not, that Commodore Sa has acted most traiterously or cowardly in making no effort to preserve the honor of his country by protecting its harbors from such robber invasion as he pronounces this act of the Japanese Navy to be, and peremptorily demands the fullest explanation and the immediate recovery and return of the vessel to the Chefoo harbor.

I am creditably informed that the French Minister has been instructed to support the Russian demand, and it is reported that the German Minister will receive like instructions, although he says he has received none as yet.

Of course China is practically helpless, and might reasonably plead her inability to protect, yet her Commodore might have made some effort in that direction. However, should the vessel be promptly returned to Chefoo and both the Japanese and Chinese naval officers promptly punished, I apprehend a very disagreeable incident may be closed and a serious break in the present concord of the Powers be avoided.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

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I am creditably informed that the German Minister has been instructed to support the Russian demand, and it is reported that the German Minister will receive like instructions, although he says he has received none as yet.

Of course China is practically helpless, and might reasonably plead her inability to protect, yet her Commodore might have made some effort in that direction. However, should the vessel be promptly returned to Chefoo and both the Japanese and Chinese naval officers promptly punished, I apprehend a very disagreeable incident may be closed and a serious break in the present concord of the Powers be avoided.

I have the honor to be, Sir,

Your obedient servant,

DIPLOMATIC
SEP 29 1904
ASSISTANT SECRETARY,
BUREAU.
SEP 29 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1683.

August 16, 1904.

RECEIVED
SEP 29 1904
BUR. ACCOUNTS. DEP. OF STATE.

Mr. Conger to the Secretary of State.

Subject:

Salary of Chinese writer increased, and Assistant Chinese writer employed; total salary of Chinese writers, $45.

(Dep't Inst. No. 803 of June 4, 1904; Despatch No. 1519 of Feb'y 25, 1904, referred to.)

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CHIEF CLERK,
SEP 20 1904
Department of State

No. 1643

August 16, 1904.

Mr. Conger to the Secretary of State.

Subject:

Salary of Chinese writer increased, and Assistant Chinese writer employed; total salary of Chinese writers, $48.

(Dep't Inst. No. 803 of June 4, 1904; Despatch No. 1819 of Feb'y 29, 1904, referred to.)

No. 1683

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 16th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1519 of February 25th last, and your instruction No. 803 of June 4th in reply thereto, I have the honor to report that I have increased the salary of the old Chinese Writer, Mr. Lin, from $18.00 to $20.00, which, upon reconsideration, both Mr. Williams and I think sufficient if we retain his son as a copyist, and employ in addition a competent assistant. I have appointed Mr. Wei as assistant Writer at a salary of $15.00 gold per month, leaving the salary of the copyist the same as at present, $10.00 per month. This makes a total for these three Chinese Writers of $45.00 gold per month.

For the present at least this can be paid out of the allowance for contingent expenses. If at any time I should find it impossible to do this, I will immediately inform you.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1615

August 18th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1519 of February 25th last, and your instruction No. 805 of June 4th in reply thereto, I have the honor to report that I have increased the salary of the old Chinese Writer, Mr. Lin, from $18.00 to $20.00 which, upon reconsideration, both Mr. Williams and I think sufficient if we retain him soon as a copyist, and employ in addition a competent assistant. I have appointed Mr. Wei as assistant Writer at a salary of $15.00 gold per month, leaving the salary of the copyist the same as at present, $10.00 per month. This makes a total for these three Chinese Writers of $45.00 gold per month.

For the present at least this can be paid out of the allowance for contingent expenses. If at any time I should find it impossible to do this, I will immediately inform you.

I have the honor to be, Sir,

Your obedient servant,

E.V.C.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
OCT 11 1904
BUREAU.

No. 1684.

August 20, 1904.

Mr. Conger to the Secretary of State .

FOR RELS. 1904.

Subject:

Whangpoo Conservancy Scheme. Discussion of with Chinese Government; present status.

CHIEF CLERK,
OCT 10 1904
Department of State.

No. 1644.

August 20, 1904.

Mr. Conger to the Secretary of State .

Subject:

Wuchang Conservancy Scheme. Discussion of
with Chinese Government; present status.

No. 1684.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 20th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Concerning the Whangpoo Conservancy Scheme, I have the honor to report that on the 15th instant I received an additional note from the Foreign Office, of which I enclose a copy.

This note is by no means satisfactory, and is very far from complying with the suggestions of my note of the 11th instant.

Believing a personal conference better than a continuance of correspondence just now, and as Prince Ch'ing is at present out of the city, I sent Mr. Williams on yesterday to the Foreign Office to explain more fully to the Ministers, our position, and make them understand, if possible, just what the Chinese Government must do in order to secure consideration of their proposed new scheme. I gave him, as the basis for his conversation, the memorandum a copy of which is enclosed, telling him to inform them that I spoke only for myself, and not for my Colleagues, and that while I did not pretend to give them a plan in detail, yet they must clearly understand that a plan less comprehensive than the one outlined in the memorandum would not be entertained by my Government, nor, I believed, by the others; that therefore it was useless to continue the correspondence unless China was prepared to make to the Powers some such comprehensive and detailed proposition as indicated.

Mr. Williams reports a satisfactory conference with

Their

No. 164.

August 20th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Concerning the Shantung Conservancy Scheme, I have the honor to report that on the 15th instant I received an additional note from the Foreign Office, of which I enclose a copy.

This note is by no means satisfactory, and is very far from complying with the suggestions of my note of the 11th instant.

Believing a personal conference better than a continuance of correspondence just now, and as Prince Ch'ing is at present out of the city, I sent Mr. Williams on yesterday to the Foreign Office to explain more fully to the Ministers, our position, and make them understand, if possible, just what the Chinese Government must do in order to secure consideration of their proposed new scheme. I gave him, as the basis for his conversation, the memorandum a copy of which is enclosed, telling him to inform them that I spoke only for myself, and not for my colleagues, and that while I did not pretend to give them a plan in detail, yet they must clearly understand that a plan less comprehensive than the one outlined in the memorandum would not be entertained by my Government, nor, I believed, by the others; that therefore it was useless to continue the correspondence unless China was prepared to make to the Powers some such comprehensive and detailed proposition as indicated.

Mr. Williams reports a satisfactory conference with their

Their Excellencies Na-t'ung and Lien-fang, who readily endorsed all the points in the memorandum, except that of making a loan. Mr. Williams told them that that was the most essential of all, as that appeared to be the only way to get the very large amount that must be at once available for the purchase of plant and machinery, and for the early organization of the work, and that the 460,000 Tls. mentioned in the Protocol was originally intended as the annual sum necessary for the interest and amortization of a loan which must be made.

They finally agreed that a loan would be necessary, unless some equally efficient plan could be devised for realizing the large sum necessary to begin with.

They said, however, that it would be necessary to correspond with the Viceroy at Nanking, which they would do at once. They were also given to understand that the proposed plan must come to the Representatives of the Powers as their own proposition, and not one supplied by me.

The British Minister has received instructions to cooperate in support of this plan, and he will advise the Chinese along the same line.

If the Chinese Government does propose a plan, fully embodying the suggestions of the British Minister and myself, I apprehend our Colleagues can be induced to accept it; but unless the Chinese do this at an early date, I see no other feasible course except that indicated in my No. 1680 of the 12th instant.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Foreign Office to Mr. Conger, Aug. 15th, 1904.
2. Memorandum as above.

Their Excellencies Na-t'ung and Lien-fang, who readily endorsed all the points in the memorandum, except that of making a loan. Mr. Williams told them that that was the most essential of all, as that appeared to be the only way to get the very large amount that must be at once available for the purchase of plant and machinery, and for the early organization of the work, and that the 150,000 Tls. mentioned in the Protocol was originally intended as the annual sum necessary for the interest and amortization of a loan which must be made.

They finally agreed that a loan would be necessary, unless some equally efficient plan could be devised for realizing the large sum necessary to begin with.

They said, however, that it would be necessary to correspond with the Viceroy at Nanking, which they would do at once. They were also given to understand that the proposed plan must come to the Representatives of the Powers as their own proposition, and not one supplied by me.

The British Minister has received instructions to cooperate in support of this plan, and he will advise the Chinese along the same line.

If the Chinese Government does propose a plan, fully embodying the suggestions of the British Minister and myself, I apprehend our Colleagues can be induced to accept it; but unless the Chinese do this at an early date, I see no other feasible course except that indicated in my No. 1880 of the 12th instant.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Foreign Office to Mr. Conger, Aug. 15th, 1904.

2. Memorandum as above.

Enclosure No. 1, In Despatch No. 1684

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt on the 2nd of the present Moon of Your Excellency's note, saying that you had telegraphed to your Government the proposal to give the opium revenues of Szechuen Province and of the Hsü-chou Prefecture of Kiangsu Province as a guaranty for the appropriations for the improvement of the Whangpoo, and that you had just received a telegraphic reply stating that as the work was a large one some sort of bond ought to be given; that in a word we ought first to prepare a detailed statement of the plan to be adopted for the improvement and the sort of bond to be given, and that if the work should be done promptly and energetically, your Government would make no objection.

We find that the annual expense of dredging the river will amount to Tls. 460,000, and the Board of Revenue has already set aside the opium revenues of Szechuen Province and the Prefecture of Hsü-chou, which being more than the amount needed and never falling below it, form a thoroughly reliable and bona fide fund. As to the work we find that Article III of the Regulations says:

"The plan now proposed to set forth in these Five Regulations. Within three months after the various foreign governments shall have consented to it, China will select and appoint a thoroughly qualified riverine engineer to take charge of the work," etc.

We have now definitely appropriated the funds and within the time specified the Superintendent of Trade for the South will select and engage a foreign engineer in accordance with the plan originally proposed. As to the necessary bond and the detailed plan of the work, it will also be necessary to wait, as originally proposed, until three months after the approval of the scheme, when these

matters

Enclosure No. 1, In Despatch No. 168

The Foreign Office to Mr. Conger.

We have the honor to acknowledge the receipt on the 2nd of the present Moon of Your Excellency's note, saying that you had telegraphed to your Government the proposal to give the opium revenues of Szechuen Provinces and of the Hsü-chou Prefecture of Kiangsu Provinces as a guaranty for the appropriations for the improvement of the Whangpoo, and that you had just received a telegraphic reply stating that as the work was a large one some sort of bond ought to be given; that in a word we ought first to prepare a detailed statement of the plan to be adopted for the improvement and the sort of bond to be given, and that if the work should be done promptly and energetically, your Government would make no objection.

We find that the annual expense of dredging the river will amount to Tls. 480,000, and the Board of Revenue has already set aside the opium revenues of Szechuen Provinces and the Prefecture of Hsü-chou, which being more than the amount needed and never falling below it, form a thoroughly reliable and bona fide fund. As to the work we find that Article III of the Regulations says:

"The plan now proposed to set forth in these Five Regulations. Within three months after the various foreign governments shall have consented to it, China will select and appoint a thoroughly qualified riverine engineer to take charge of the work," etc.

We have now definitely appropriated the funds and within the time specified the Superintendent of Trade for the South will select and engage a foreign engineer in accordance with the plan originally proposed. As to the necessary bond and the detailed plan of the work, it will also be necessary to wait, as originally proposed, until three months after the approval of the scheme, when these

matters

matters may be taken into consideration and dealt with.

As in duty bound we send this reply to Your Excellency and trust that you will forward it to your Government for its examination and approval, so that it may be possible to speedily undertake the work.

We avail ourselves of the opportunity to wish you the compliments of the day.

Cards enclosed.

Seventh Moon, 5th Day.(August 15th, 1904)

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As in duty bound we send this reply to Your Excellency and trust that you will forward it to your Government for its examination and approval, so that it may be possible to speedily undertake the work.

We avail ourselves of the opportunity to wish you the compliments of the day.

Cards enclosed.

Seventh Moon, 5th Day. (August 15th, 1904)

to be given; that in a word we ought first to prepare a detailed statement of the plan to be adopted for the improvement and the sort of bond to be given, and that if the work should be done promptly and energetically, your Government would make no objection.

We find that the annual expense of dredging the river will amount to Tls. 480,000, and the Board of Revenue has already set aside the opium revenues of Szechuen Provinces and the Prefecture of Kwei-chow, which being more than the amount needed and never failing below it, form a thoroughly reliable and bona fide fund. As to the work we find that Article III of the Regulations says:

"The plan now proposed to set forth in these Five Regulations. Within three months after the various foreign governments shall have consented to it, China will select and appoint a thoroughly qualified riverine engineer to take charge of the work," etc.

We have now definitely appropriated the funds and within the time specified the Superintendent of Trade for the South will select and engage a foreign engineer in accordance with the plan originally proposed. As to the necessary bond and the detailed plan of the work, it will also be necessary to wait, as originally proposed, until three months after the approval of the scheme, when these

matters

Enclosure No. 2 In Despatch No. 1684

Memorandum.

The original plan for the improvement of the Whangpoo River was set forth in Annex XVII to the Final Protocol of 1901. Therefore, if China desires to adopt a new plan, she must enter into a new Protocol with the Powers, and she should prepare and submit to their Representatives a statement in which she should say:

(a)That China herself will furnish the funds and do the work;

(b) That it will be done under the supervision of foreign engineers, selected by or satisfactory to a majority of the Powers;

(c) The original intention of the signatories of the Protocol was that a loan should be negotiated to secure funds for the work, and that Tls. 460,000 per annum would be needed to repay the principal and interest of this loan in twenty years, and not merely that there should be expended Tls. 460,000 each year upon the work, as this amount would not be sufficient for the first year, when it will be necessary to purchase machinery, etc.

China should therefore issue a series of bonds on which to raise the needed funds, these bonds to be secured by the opium revenues of Szechuen Province and of Hsü-chou Prefecture in Kiangsu Province.

(d) That as an essential condition of the agreement, in case of a failure on the part of the Chinese Government to faithfully carry out its obligations under the agreement, reversion shall be had to the plan outlined in Annex XVII to the Final Protocol, and the Commission mentioned therein authorized to at once carry out the work according to the provisions of the said Annex, without waiting for the appointment of the Chinese member of the Commission.

Enclosure No. 2 In Despatch No. 1678

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China should therefore issue a series of bonds on which to raise the needed funds, these bonds to be secured by the opium revenues of Szechuen Provinces and of Hei-chou Prefecture in Kiangsu Province.

(d) That as an essential condition of the agreement, in case of a failure on the part of the Chinese Government to faithfully carry out its obligations under the agreement, reversion shall be had to the plan outlined in Annex XVII to the Final Protocol, and the Commission mentioned therein authorized to at once carry out the work according to the provisions of the said Annex, without waiting for the appointment of the Chinese member of the Commission.

DEP'T OF STATE
OCT
10
1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU.

RECEIVED
OCT
11
1904
BUR. ACCOUNTS
STATE DEPT.

LEGATION OF THE UNITED STATES OF AMERICA.
PEKIN, CHINA.

No. 1685.

August 20, 1904.

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OCT
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DEPT. OF STATE

Rec'd Oct 11/04

Mr. Conger to the Secretary of State.

Subject:

New Legation Buildings. Contract for interior finish let for $50,000. Correspondence enclosed.

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FILED

CHIEF CLERK,
OCT 10 1904
Department of State.

No. 15.

August 20, 1904.

Mr. Conger to the Secretary of State.

Subject:

New Legation Buildings. Contract for interior
finish let for $30,000. Correspondence enclosed.

No. 1685.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 20th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to report that I have contracted with the Wm. H. Warren Manufacturing Co. for the entire interior finish, including heating and plumbing, delivered at Tientsin by December 1st next, for our five new Legation buildings for $50,000. The enclosed copies of correspondence will explain fully how this was arrived at.

Both to Mr. Nealy and to me this amount seems very high; in fact it is nearly double Mr. Nealy's first estimate.

The bid of the Warren Manufacturing Co. was the only one furnished in response to Mr. Roberts' advertisements, and was $52,800, which was promptly rejected. Had we been within reach we should have at once advertised again, but we find this very difficult to do at this distance, and our experience with re-advertisements so far has been only to get higher instead of lower bids, and as it would delay the work for practically another year, with Mr. Nealy's salary and expense to come out of the appropriation, we thought best, since the Warren Manufacturing Co. was the only bidder, to make them an offer of $50,000 for the entire balance of the work, less certain omissions named.

Their bid was; for interior finish, $52,800; for alternates, $3,617; total $56,417. Instead of which we offerred $50,000. This was accepted.

I have no doubt the question of freight under the present war conditions is largely responsible for the exceedingly

No. 15 [illegible]

August 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that I have contracted with the Wm. H. Warren Manufacturing Co. for the entire interior finish, including heating and plumbing, delivered at Tientsin by December 1st next, for our five new Legation buildings for $80,000. The enclosed copies of correspondence will explain fully how this was arrived at.

Both to Mr. Healy and to me this amount seems very high; in fact it is nearly double Mr. Healy's first estimate.

The bid of the Warren Manufacturing Co. was the only one furnished in response to Mr. Roberts' advertisements, and was $82,800, which was promptly rejected. Had we been within reach we should have at once advertised again, but we find this very difficult to do at this distance, and our experience with re-advertisements so far has been only to get higher instead of lower bids, and as it would delay the work for practically another year, with Mr. Healy's salary and expense to come out of the appropriation, we thought best, since the Warren Manufacturing Co. was the only bidder, to make them an offer of $80,000 for the entire balance of the work, less certain omissions named.

Their bid was, for interior finish, $52,800; for alterations, $3,617; total $56,417. Instead of which we offered $80,000. This was accepted.

I have no doubt the question of freight under the present war conditions is largely responsible for the exceedingly

ceedingly high bid. However, we are obliged to get this work from home, and I think we have pursued the wisest course.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to Mr. Roberts, August 6th, 1904.
2. Mr. Conger to Mr. Roberts, August 10th, 1904.
3. Mr. Conger to Mr. Roberts, August 12th, 1904.

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I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Mr. Conger to Mr. Roberts, August 6th, 1904.
2. Mr. Conger to Mr. Roberts, August 10th, 1904.
3. Mr. Conger to Mr. Roberts, August 12th, 1904.

Copy to Aud June 19/05

Enclosure No. 1. In Despatch No. 1685

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, August 6th, 1904.

J. W. Roberts, Esquire,

Superintendent Public Building,

San Francisco, Cal.

Dear Sir:

I confirm your telegram of the 3rd instant and my reply of the 4th, as follows:

Conger, Peking.

Only bid received Warren fifty two thousand eight hundred alternates same as original bid, recommend acceptance. Cable Answer.

ROBERTS.

Roberts, Public Building,

Sanfrancisco.

Bid rejected. Recall and preserve plans.

CONGER

This amount is too high for appropriation available, and its acceptance, therefore, impossible.

Yours respectfully,

(Signed) E. H. Conger.

Enclosure No. 1. In Despatch No. 1685.

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, August 6th, 1904.

J. W. Roberts, Esquire,

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Yours respectfully,

(Signed) E. H. Conger.

Copy
Encl. 6
Dec. June 19/05

Enclosure No. 2 In Despatch No. 1685.

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, August 10th, 1904.

J. W. Roberts, Esquire,

Superintendent Public Building,

San Francisco, Cal.

Dear Sir;

I confirm my telegram of the 6th instant, your answer of the 9th, and my reply of to-day as follows:

Roberts, Public Building,

Sanfrancisco.

If Warren will reduce bid to fifty thousand and include alternates, omitting book cases, shower baths, bath room mirrors, all tiling and servants floors, I will accept. Otherwise impossible. Answer quick.

CONGER.

Conger, Peking.

Warren accept fifty thousand per your cablegram August sixth.

ROBERTS.

Roberts, Public Building,

Sanfrancisco.

If material delivered Tientsin by December first Warren contract is closed, fifty thousand everything. Original date was November first.

CONGER.

This telegram, taken together with the specifications and drawings, will constitute a complete contract which must be strictly carried out on both sides.

In brief, the Wm. H. Warren Manufacturing Co. agrees to deliver at Tientsin, not later than December 1st, 1904, all the material, of whatever kind, required by the plans and specifications sent you, including alternates, except what is embraced in the two contracts already made with the said Wm. H. Warren Manufacturing Co., omitting book cases, shower baths, mirrors for bath-rooms, all tiling and the floors for servants' rooms.

In my telegram of May 6th last, asking for bids, the date for delivery was fixed at November 1st. By this contract it was extended thirty days; i. e., to December 1st,

because

Enclosure No. 2 In Despatch No. 16 to Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, August 10th, 1904.

J. W. Roberts, Esquire,

Superintendent Public Building,

San Francisco, Cal.

Dear Sir:

I confirm my telegram of the 6th instant, your answer of the 9th, and my reply of to-day as follows:

Roberts, Public Building,

Sanfrancisco.

If Warren will reduce bid to fifty thousand and include alternates, omitting book cases, shower baths, bath room mirrors, all tiling and servants floors, I will accept. Otherwise impossible. Answer quick.

CONGER.

Conger, Peking.

Warren accept fifty thousand per your tablegram August sixth.

ROBERTS.

Roberts, Public Building,

Sanfrancisco.

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In my telegram of May 6th last, asking for bids, the date for delivery was fixed at November 1st. By this contract it was extended thirty days; i. e., to December 1st, because

because of the delay in getting additional plans to San Francisco. The material must be delivered at Tientsin by December 1st, or the work will be seriously delayed at great loss and damage to the Government. Besides, navigation closes at Tientsin December 1st and does not open again until after March 1st.

Thanking you again for your continued kindness, I am,

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Very respectfully yours

(Signed) E. H. Conger.

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Thanking you again for your continued kindness, I am,

Very respectfully yours

(Signed) W. H. Conger.

Enclosure No. 3 In Despatch No. 1685

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, August 12th, 1904.

J. W. Roberts, Esquire,

Superintendent Public Building,

San Francisco, Cal.

Dear Sir:

I confirm your telegram of yesterday and mine of today as follows:

Conger, Peking.

What do you mean by the word everything in your last cabelgram. Does it modify cablegram of fifth omitting certain things? If so, the deal is off. Cable immediately.

ROBERTS.

Roberts, Public Building,

Sanfrancisco.

Means everything in specifications except former contracts and omissions named.

CONGER.

I meant by the word "everything" in my telegram, simply that the balance of the work called for in the specifications, with the exception of the contracts already made and the omissions named in my telegram of the 5th instant was to be furnished under this last contract.

Trusting that my last telegram was satisfactory, and that the work will in due time be forthcoming, I am,

Very respectfully yours,

(Signed) E. H. Conger.

Enclosure No. 3 In Despatch No. 1685

Mr. Conger to Mr. Roberts.

Legation of the United States of America,

Peking, August 12th, 1904.

J.W. Roberts, Esquire,
Superintendent Public Building,
San Francisco, Cal.

Dear Sir:

I confirm your telegram of yesterday and mine of to-day as follows:

Conger, Peking.

What do you mean by the word everything in your last cablegram. Does it modify cablegram of fifth omitting certain things? If so, the deal is off. Cable immediately.

ROBERTS.

Roberts, Public Building,

SanFrancisco.

Means everything in specifications except former contracts and omissions named.

CONGER.

I meant by the word "everything" in my telegram, simply that the balance of the work called for in the specifications, with the exception of the contracts already made and the omissions named in my telegram of the 5th instant was to be furnished under this last contract.

Trusting that my last telegram was satisfactory, and that the work will in due time be forthcoming, I am,

Very respectfully yours,

(Signed) E. H. Conger.

DIPLOMATIC BUREAU.

To Treasury ?
Ack.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

DEPT OF STATE
OCT
10
1904
2ND ASST SECRETARY

No. 1676

August 23, 1904.

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BUR. ACCOUNTS. DEP. OF STATE.

Mr. Conger to the Secretary of State.

Bu of Accts
Ack'd Oct. 11, 1904.

Subject:

New Legation. Contract for boring artesian well in compliance with department telegram of August 23, enclosed.

INDEX BUREAU
FILED

CHIEF CLERK.
OCT 10 1904
Department of State.

No. 1914

August 23, 1904.

Mr. Conger to the Secretary of State.

Subject:

New Legation. Contract for boring artesian well in compliance with department telegram of August 23, enclosed.

No. 1696.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 23rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your telegram received to-day as follows:

Conger, Peking.

Despatch sixteen sixty received. Bore well.

(Signed) Adee.

I enclose herewith a copy of a contract made with the Japanese, Mr. Miyai, for the boring of an artesian well, in compliance with your telegram.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Copy of contract as stated.

No. 1676.

August 28rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to confirm your telegram received to-day as follows:

Conger, Peking.

Despatch sixteen sixty received. Sore well.

(Signed) Adee.

I enclose herewith a copy of a contract made with the Japanese, Mr. Miyai, for the boring of an artesian well, in compliance with your telegram.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Copy of contract as stated.

Copy to Conf June 19/05

Enclosure No.- In Despatch No. 1686.

Peking, China, Aug. 22nd, 1904.

AGREEMENT and contract entered into this 22nd day of August 1904, between Hon. E. H. Conger, representing the Government of the United States, and J. Miyai(Japanese) contractor.

Contractor agrees and hereby contracts to furnish all labor, machinery, tools, implements, fuel, and all material so whatever (except permanent piping and sheet iron drum) and to sink an artesian well in the grounds of the new American Legation to a total depth of 338 feet, namely: A well 35 feet deep and of sufficient diameter to admit a 3 1/2 foot diameter iron drum or reservoir: from the bottom of this bore a well of sufficient diameter to admit a 3 1/2" inside diameter pipe.

Contractor is to sink such well through any and all material encountered, whether earth, sand, quick-sand, rock or other substance; to place all piping with close and water-tight joints; to place iron reservoir or drum, fitting the well piping thereto, and to leave the entire work in a complete, clean and serviceable condition, proof against admission of surface water, and in all respects satisfactory to the Architect in charge.

Contractor further agrees to begin work within 10 days after the signing of this contract and to work continuously with a sufficient force to insure the completion of said well in three months from date of contract.

Upon the part of the Government of the United States it is agreed that said J. Miyai, contractor, his heirs or assigns shall receive, in payment for such artesian well, the sum of Eighteen hundred (Mexican) dollars in such sums and at such times as hereinafter agreed upon.

It

Enclosure No.- In Despatch No. 186.

Peking, China, Aug. 22nd, 1904.

AGREEMENT and contract entered into this 22nd day of August 1904, between Hon. E. H. Conger, representing the Government of the United States, and T. Miyai(Japanese) contractor.

Contractor agrees and hereby contracts to furnish all labor, machinery, tools, implements, fuel, and all material whatever (except permanent piping and sheet iron drum) and to sink an artesian well in the grounds of the new American Legation to a total depth of 335 feet, namely: A well 35 feet deep and of sufficient diameter to admit a 3 1/2 foot diameter iron drum or reservoir: from the bottom of this bore a well of sufficient diameter to admit a 3 1/2" inside diameter pipe.

Contractor is to sink such well through any and all material encountered, whether earth, sand, quick-sand, rock or other substance; to place all piping with close and water-tight joints; to place iron reservoir or drum, fitting the well piping thereto, and to leave the entire work in a complete, clean and serviceable condition, proof against admission of surface water, and in all respects satisfactory to the Architect in charge.

Contractor further agrees to begin work within 10 days after the signing of this contract and to work continuously with a sufficient force to insure the completion of said well in three months from date of contract.

Upon the part of the Government of the United States it is agreed that said T. Miyai, contractor, his heirs or assigns shall receive, in payment for such artesian well, the sum of Eighteen hundred (Mexican) dollars in such sums and at such times as hereinafter agreed upon.

It is agreed that payments shall be made as follows: When contractor has reached a depth of 100 feet he shall receive the sum of $400.00 (Mexican)dollars; when 200 feet depth is reached $400.00(Mexican)dollars additional shall be paid him, and $1,000(Mexican)dollars shall be paid on completion of the entire work.

(Signed) E. H. Conger,
U. S. Minister.

J. Miyai.

It is agreed that payments shall be made as follows:

When contractor has reached a depth of 100 feet he shall receive the sum of $400.00 (Mexican)dollars; when 200 feet depth is reached $400.00(Mexican)dollars additional shall be paid him, and $1,000(Mexican)dollars shall be paid on completion of the entire work.

(Signed) H. H. Conger,
U.S. Minister.
T. Miyai.

Enclosure No.- In Despatch No. 1684
Peking, China, Aug. 22nd, 1904.

AGREEMENT and contract entered into this 22nd day of August 1904, between Hon. H. H. Conger, representing the Government of the United States, and T. Miyai(Japanese) contractor.

Contractor agrees and hereby contracts to furnish all labor, machinery, tools, implements and sheet iron drum) and materials (except permanent T. Miyai and whatever to sink an artesian well in the grounds of the new American Legation to a total depth of 535 feet, namely: A well 35 feet deep and of sufficient diameter to admit a 3 1/2 foot diameter iron drum or reservoir: from the bottom of this bore a well of sufficient diameter to admit a 3 1/2" inside diameter pipe.

Contractor is to sink such well through any and all material encountered, whether earth, sand, quick-sand, rock or other substance; to place all piping with close and water-tight joints; to place iron reservoir or drum, fitting the well piping thereto, and to leave the entire work in a complete, clean and serviceable condition, proof against admission of surface water, and in all respects satisfactory to the Architect in charge.

Contractor further agrees to begin work within 10 days after the signing of this contract and to work continuously with a sufficient force to insure the completion of said well in three months from date of contract.

Upon the part of the Government of the United States it is agreed that said T. Miyai, contractor, his heirs or assigns shall receive, in payment for such artesian well, the sum of Eighteen hundred (Mexican) dollars in such sums and at such times as hereinafter agreed upon.

It

DEPT OF STATE
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ASSISTANT SECRETARY

DIPLOMATIC BUREAU.
BUREAU OF ACCOUNTS

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
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BUREAU

No. 1687.

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August 23, 1904.

Mr. Conger to the Secretary of State.

Subject:

Compliance with Dep't Instruction No. 802 with regard to certification of filing of certain papers.

INDEX BUREAU
OCT 17 1904
FILED

CHIEF CLERK,
OCT 10 1904
Department of State.

It is agreed that payments shall be made as follows:

When contractor has reached a depth of 100 feet he shall receive the sum of $400.00 (Mexican)dollars; when 200 feet depth is reached $400.00(Mexican)dollars additional shall be paid him, and $1,000(Mexican)dollars shall be paid on completion of the entire work.

(Signed) H. H. Conger,
U.S. Minister.
T. Miyai.

Contractor agrees and hereby contracts to furnish all labor, machinery, tools, implements and sheet iron drums) and whatever (except permanent to sink an artesian well in the grounds of the new American Legation to a total depth of 325 feet, namely: A well 35 feet deep and of sufficient diameter to admit a 3 1/2 foot diameter iron drum or reservoir: from the bottom of this bore a well of sufficient diameter to admit a 3 1/2" inside diameter pipe.

Contractor is to sink such well through any and all material encountered, whether earth, sand, quick-sand, rock or other substance; to place all piping with close and water-tight joints; to place iron reservoir or drum, fitting the well piping thereto, and to leave the entire work in a complete, clean and serviceable condition, proof against admission of surface water, and in all respects satisfactory to the Architect in charge.

Contractor further agrees to begin work within 10 days after the signing of this contract and to work continuously with a sufficient force to insure the completion of said well in three months from date of contract.

Upon the part of the Government of the United States it is agreed that said T. Miyai, contractor, his heirs or assigns shall receive, in payment for such artesian well, the sum of Eighteen hundred (Mexican) dollars in such sums and at such times as hereinafter agreed upon.

It

DEP'T OF STATE
OCT
10
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SECRETARY

DIPLOMATIC BUREAU.
BUREAU OF ACCOUNTS

LEGATION OF THE UNITED STATES OF AMERICA,
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BUR. OF ACCOUNTS. DEP. OF STATE.

August 23, 1904.

Mr. Conger to the Secretary of State.

Subject:

Compliance with Dep't Instruction No. 802 with regard to certification of filing of certain papers.

INDEX BUREAU
OCT 17 1904
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CHIEF CLERK,
OCT 10 1904
Department of State.

No. 187.

August 23, 1904.

Mr. Conger to the Secretary of State.

Subject:

Compliance with Dep't Instruction No.
805 with regard to certification of filing
of certain papers.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1687. August 23, 1904

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In compliance with Department Instruction No. 802 of May 28th, last, as I understand it and as the best solution of the matter, I have the honor to state that I have credited the United States on the contingent account for the current quarter with the amount of the fee, viz: Five Dollars, charged for the certification with regard to the filing of certain trade-mark papers in this Legation

No further fees of this character will be charged.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 167. August 25, 1904

To the Honorable,

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In compliance with Department Instruction No. 802 of May 28th, last, as I understand it and as the best solution of the matter, I have the honor to state that I have credited the United States on the contingent account for the current quarter with the amount of the fee, viz: Five Dollars, charged for the certification with regard to the filing of certain trade-mark papers in this Legation.

No further fees of this character will be charged.

I have the honor to be, Sir,

Your obedient servant,

TELEGRAM RECEIVED IN CIPHER.

DEPT OF STATE
AUG
30
1904
2ND ASST SECRETARY

DIPLOMATIC BUREAU From PEKING,

Confirm. 8/31/04

August 25, 1904,

5:35 p. m.

DIPLOMATIC
AUG 30 1904
BUREAU.

Secretary of State,

Washington.

ENTIAL.

Confidential. 25th. Russian Minister informed me unofficially that Japanese course warrants extension of hostile zone anywhere in China, and that Russia will no longer consider the Chinese Government neutral.

CONGER.

INDEX BUREAU
SEP 1 1904
FILED

Deciphered by the Chief Clerk's Office, August 26, 1904. 9:15

TELEGRAM RECEIVED IN CIPHER

DIPLOMATIC BUREAU, PEKING,

August 25, 1904,

9:35 p. m.

Secretary of State,

Washington.

Confidential. 25th. Russian Minister informed me unofficially that Japanese corps reserve extension of hostile zone anywhere in China, and that Russia will no longer consider the Chinese Government neutral.

COUDER.

Received by the Chief Clerk's Office, August 26, 1904. 9:15

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

RECEIVED. OCT 10 1904 BUR. ACCOUNTS. DEP. OF STATE.

No. 1688.

August 25, 1904.

INDEX BUREAU RECEIVED OCT 10 1904 DEPT OF STATE

Mr. Conger to the Secretary of State.

Subject:

Rec'd, Bu. Accts.

Forwarding vouchers for telegraph bills to be attached to last account for New Legation .

INDEX BUREAU OCT 10 1904 FILED

No. 1677.

August 25, 1904.

Mr. Conger to the Secretary of State.

Subject:

Forwarding vouchers for telegraph bills to be attached to last account for New Legation.

No. 1688.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 25th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

Referring to my No. 1661 of July 15, transmitting a statement of account for the New Legation Buildings from April 1 to June 30, 1904, I have the honor to enclose the vouchers for $31.17 for telegraph bills to be attached as noted therein,

and to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Vouchers as stated.

Rec'd, Bu. Accts.

Sent to Auditor to file with account.
Oct. 12. 1904

No. 1617.

August 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1581 of July 15, transmitting a statement of account for the New Legation Building from April 1 to June 30, 1904, I have the honor to enclose the vouchers for $31.17 for telegraph bills to be attached as noted therein.

and to be, Sir,

Your obedient servant,

Enclosures:

Vouchers as stated.

ASSISTANT SECRETARY
OCT 12 1904

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
OCT 13 1904
BUREAU.

No. 1689.

August 25, 1904.

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DEPT OF STATE

Mr. Conger to the Secretary of State.

Ans. Oct. 13 Tel. Exp.

Subject:

Leave of absence for sixty days requested.

United States not to be visited.

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OCT 18 1904
FILED

CHIEF CLERK,
OCT 10 1904
Department of State.

No. 14 [illegible]

August 28, 1902.

Mr. Conger to the Secretary of State.

Subject:

Leave of absence for sixty days requested.

United States not to be visited.

No. 1689.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 25th, 1904.

To the Honorable

John Hay,

Washington, D. C.

Sir:

Some time during next winter, the season most suitable for visiting the Philippines, I desire to make a trip thither. I therefore have the honor to request that a leave of absence for sixty days be granted me for that purpose.

I shall avail myself of the permission only if the public business and the general situation here will warrant my absence. Of course I understand that this is not a visit to the United States.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 48.

August 29th, 1904.

To the Honorable

John Hay,

Washington, D. C.

Sir:

Some time during next winter, the season most suitable for visiting the Philippines, I desire to make a visit there. I therefore have the honor to request that a leave of absence for sixty days be granted me for that purpose.

I shall await myself of the permission only if the public business and the general situation here will warrant my absence. Of course I understand that this is not a visit to the United States.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1690.

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DIPLOMATIC OCT 11 1904 BUREAU.

August 25, 1904.

Mr. Conger to the Secretary of State.

FOR RELS. 1904.

Subject:

Chinese Indemnity. Enclosing correspondence between Taotai and Bankers' Commission with reference to payment of arrears of interest, etc. No action likely to be taken by Diplomatic Corps.

INDEX BUREAU OCT 11 1904 FILED

CHIEF CLERK. OCT 10 1904 Department of State.

No. 1696.

August 23, 1904.

Mr. Conger to the Secretary of State.

Subject:

Chinese Indemnity. Enclosing correspondence between Tsotai and Bankers' Commission with reference to payment of arrears of interest, etc.

No action likely to be taken by Diplomatic Corps.

No. 1690.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose herein copies of a letter of the Secretary of the Bankers' Commission in Shanghai to the Dean of the Diplomatic Corps, and its enclosure of a communication from the Taotai of Shanghai concerning the payment of the arrears of interest on the indemnity, and the question of gold or silver payment.

The Representatives of the Powers are not agreed as to the kind of answer to be given, or even as to the necessity of one, and therefore no action is likely to be taken by them.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Secretary of Bankers' Commission to the Dean of the Diplomatic Corps, August 8th, 1904.

Enclosure No.— In Despatch No. 1690

Secretary Bankers' Com. to Dean Diplomatic Corps.

Shanghai, 8th August, 1904.

Sir,

I have the honour to forward to you herewith copies in English and French of the Correspondence, which has lately taken place between the Commission of Bankers and the Shanghai Taotai, and also a copy of the statement referred to therein.

In view of the near approach of the close of the period of grace, granted to China in which to pay off the arrears of 1901, the Commission desires Your Excellency to place this matter before your Colleagues of the Diplomatic Corps, in order that a definite reply, based on their instruction, may be sent to the Taotai.

The question of the gold or silver basis of the indemnity has now been in dispute for nearly three years, and the settlement of this question becomes urgent, since at the end of the present six months, the already heavy arrears, due by China to the Powers, will be increased by an amount in gold, representing, at the rates of exchange of the Protocol, Haikwan Taels 9,000,000.

I have the honor to be,

Your Excellency's most obedient servant,

(Signed) H. M. Bevis,

Delegate for Great Britain & Portugal

and Secretary of the Bankers' Commission.

His Excellency

Baron M. Czikann de Wahlborn,

Doyen of the Diplomatic Corps in Peking.

Enclosure No.— In Despatch No. 1490

Secretary Bankers' Com. to Dean Diplomatic Corps.

Shanghai, 8th August, 1904.

Sir,

I have the honour to forward to you herewith copies in English and French of the Correspondence, which has lately taken place between the Commission of Bankers and the Shanghai Taotai, and also a copy of the statement referred to therein.

In view of the near approach of the close of the period of grace, granted to China in which to pay off the arrears of 1901, the Commission desires Your Excellency to place this matter before your Colleagues of the Diplomatic Corps, in order that a definite reply, based on their instruction, may be sent to the Taotai.

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I have the honor to be,

Your Excellency's most obedient servant,

(Signed) H. M. Bevis,

Delegate for Great Britain & Portugal

and Secretary of the Bankers' Commission.

His Excellency

Baron M. Czikann de Wahlborn,

Doyen of the Diplomatic Corps in Peking.

Translation of the letter addressed by His Excellency Yuan Shou Shung, Taotai of Shanghai to Mr. H. M. Bevis, Secretary to the Commission of Bankers in Shanghai.

Monsieur le Secretaire,

I have the honour to acknowledge receipt of the letter recently addressed to me by Mr. G. Henriot in which he kindly sent me a statement relating to the payment of the Indemnity for the first six months of the third year, namely from the 31st December 1903 to the 30th June 1904.

In accordance with the Protocol and the Table of Amortization the amount of the Indemnity due to the various Powers, was converted into silver at the rate of exchange of the 1st April 1901 per Haikwan Tael; and an annual sum of Taels 18,829,600,(being the amount of the Amortization and interest, plus Tls. 3,000,000 the portion of the arrears due for the first period.)has been paid in full on account of the first and second years. I informed Mr. Buse and Mr. Perreau to this effect on the 5th of January and the 14th July 1903.

This year the same sum of HK Tls. 18,829,500, has to be paid on account of the Capital and interest, in twelve monthly payments of Tls. 1,820,000 per mensem. Six of these monthly payments have been made, realizing a sum of Tls. 10,920,000, so that nothing is wanting to complete the payment for the first six months of this year.

However I find certain discrepancies in the account rendered to me by the Commission which I have pointed out below:

1st. The Protocol rate for the Haikwan Tael has certainly been put at the beginning of the statement, but later on the rate of the date for payment of the Coupon, namely, the 30th June 1904, has been added.

2nd. Against the amount of Tls. 9,000,000 the Arrears

for

Translation of the letter addressed by His Excellency Yuan Shou Shung, Taotai of Shanghai to Mr. H. M. Bevis, Secretary to the Commission of Bankers in Shanghai.

Monsieur le Secretaire,

I have the honour to acknowledge receipt of the letter recently addressed to me by Mr. G. Henriot in which he kindly sent me a statement relating to the payment of the Indemnity for the first six months of the third year, namely from the 31st December 1903 to the 30th June 1904.

In accordance with the Protocol and the Table of Amortization the amount of the Indemnity due to the various Powers, was converted into silver at the rate of exchange of the 1st April 1901 per Haikwan Tael; and an annual sum of Taels 18,829,800, (being the amount of the Amortization and interest, plus Tls. 3,000,000 the portion of the arrears due for the first period,)has been paid in full on account of the first and second years. I informed Mr. Bruce and Mr. Perreau to this effect on the 5th of January and the 14th July 1903.

This year the same sum of HK Tls. 18,829,800, has to be paid on account of the Capital and interest, in twelve monthly payments of Tls. 1,820,000 per mensem. Six of these monthly payments have been made, realizing a sum of Tls. 10,920,000, so that nothing is wanting to complete the payment for the first six months of this year. Commission.

However I find certain discrepancies in the account rendered to me by the Commission which I have pointed out below:

1st. The Protocol rate for the Haikwan Tael has certainly been put at the beginning of the statement, but later on the rate of the date for payment of the Coupon, namely, the 30th June 1904, has been added.

2nd. Against the amount of Tls. 9,000,000 the Arrears

for

for the first period, a sum of Tls. 3,000,000 per annum was paid for the last two years(i.e. the 1st and 2nd year) and the interest should be reduced "Pari passu" with the Capital. But in the statement the amount still appears as HK. Tls. 9,000,000, so that Tls. 180,000 is claimed as interest for six months on this sum of HK. Tls. 9,000,000.

3rd. The amount of the Amortization and interest for the last two years(the 1st and 2nd year) and Tls. 3,000,000 per annum an account of the arrearages, as well as the capital and interest for the first six months of this year, have been more than paid but, in the statement, a sum of over Tls. 50,000 is claimed for interest @4% on the amount in arrear on the 30th December 1903 and a sum of over Tls. 1,468,000 is claimed as being in arrear.on the 30th June 1904.

These are the three principal points, which are not in accordance with the Protocol, and I am unable to understand why Mr. Henriot has written to me demanding payment of a difference. I really dare not accede to this request.

I have the honour to beg of you, Sir, to kindly give your attention to this reply.

Furthermore, with regard to the payment of Tls.3,000? 000 per annum on account of the deferred interest which I made for the first and second year, the interest on these arrears should be reduced by interest @4% on my monthly installments, as I proposed in a detailed account rendered on the 29th December 1903; and at the same time I sent a sum of Tls. 139,600, the amount of the balance of interest due on the arrears, to the Commission. They, however, returned this sum to me without assigning any reason for their refusal to accept it. I was greatly astonished and I wrote in July to Mr. Perreau asking for an explanation but he has not favoured me with an answer on this subject.

Now, Sir, that you have taken over the duties of Secretary

Now, Sir, that you have taken over the duties of Secretary
but he has not favoured me with an answer on this subject.
I wrote in July to Mr. Perreau asking for an explanation
their refusal to accept it. I was greatly astonished and
turned this sum to me without assigning any reason for
due on the arrears, to the Commission. They, however, re-
sum of Tls. 139,600, the amount of the balance of interest
on the 29th December 1903; and at the same time I sent a
statements, as I proposed in a detailed account rendered
arrears should be reduced by interest @4% on my monthly in-
made for the first and second year, the interest on these
000 per annum on account of the deferred interest which I
Furthermore, with regard to the payment of Tls.3,000?
your attention to this reply.

I have the honour to beg of you, Sir, to kindly give
difference. I really dare not accede to this request.
why Mr. Henriot has written to me demanding payment of a
accordance with the Protocol, and I am unable to understand
There are the three principal points, which are not in
1904.

1,468,000 is claimed as being in arrear on the 30th June
in arrear on the 30th December 1903 and a sum of over Tls.
over Tls. 80,000 is claimed for interest @4% on the amount
have been more than paid but, in the statement, a sum of
capital and interest for the first six months of this year,
per annum on account of the arrearages, as well as the
the last two years(the 1st and 2nd year) and Tls. 3,000,000
3rd. The amount of the Amortization and interest for
interest for six months on this sum of HK. Tls. 9,000,000.
as HK. Tls. 9,000,000, so that Tls. 180,000 is claimed as
capital. But in the statement the amount still appears
and the interest should be reduced "Part passu" with the
was paid for the last two years(i.e. the 1st and 2nd year)
for the first period, a sum of Tls. 3,000,000 per annum

retary to the Commission, I shall be greatly obliged if you will have the goodness to inform me of what steps I must take in order to act in a regulat manner.

&c, &c,

(Signed) Yuan Shou Shung,

Taotai of the Customs of Shanghai.

The 21st July 1904.

retary to the Commissaion, I shall be greatly obliged if
you will have the goodness to inform me of what steps I
must take in order to act in a regular manner.

&c., &c.,

(Signed) Yuan Shou Shung,

Taotai of the Customs of Shanghai.

The 21st July 1904.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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No. 1691. File Dept

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Mr. Conger to the Secretary of State.

Subject:

Forwarding under separate cover, package containing specifications to be forwarded to Warren Mfg Co., at Chicago.

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CHIEF CLERK,
OCT 10 1904
Department of State.

No. 1491.

August 25, 1904.

Mr. Conger to the Secretary of State.

Subject:

Forwarding under separate cover, package containing specifications to be forwarded to Warren Mfg Co., at Chicago.

No. 1691.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I am sending under accompanying separate cover, a valuable package addressed to "The William H. Warren Manufacturing Co., Chicago, Ill.", which I will thank you to have forwarded by very first express.

This package contains specifications for the mantels and grates selected for our new buildings, and it is important that it reach its destination safely, and in the quickest time possible.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Accompanying enclosure under separate cover. (not received at India Bureau).

No. 1491.

August 26th, 1904.

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Enclosure.

Accompanying enclosure under separate cover.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC BUREAU.
Ack & file.

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No. 1692.

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August 26, 1904.

Mr. Conger to the Secretary of State.

(10 Mem. Feb. 4, 1905. Ack'd Oct 11

FOR RELS. 1904.

Subject:

Chinese neutrality, violations of, attitude of Russia in consequence of Chefoo incident. The Askold Affair. Protection of neutral interests. Wireless telegraph stations in China. Situation at Port Arthur.

(Confirming telegraphic correspondence)

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CHIEF CLERK,
OCT 10 1904
Department of State.

No. 1492.

August 26, 1904.

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Subject:

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No. 1692.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 26th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm our recent telegraphic correspondence as follows:

Washington, August--------1904.

Conger, Peking.

We have advised the Government of Japan unofficially to return Ryeshetelni to Chinese jurisdiction without prejudice to questions of right involved.

HAY.

Washington, August 21, 1904.

Conger, Minister, Peking.

Twenty-one. The United States Consul General at Chefoo reports Russian Minister has warned Chinese Government that Russian Consulate and wireless telegraph station at Chefoo is liable to be attacked, and that Chinese Government has answered that it is unable to protect wireless station. Local authority Chefoo is anxious that the United States assist to secure removal of station. I have answered him, quote: "The Government of the United States relies on the good faith of both belligerents to observe the neutrality of China outside the agreed zone of hostile operations in Manchuria, and is unable to take any action with either belligerent to prevent the use of Chinese waters or territory, either as a base of military or naval operations or communication. In case of threatened collision between the belligerents, causing damage to American property, you will courteously make protest to both parties, impartially reserving all American rights in the premises." Quote.

ADEE.

Washington, August 22, 1904.

Conger, Peking.

Twenty-second. Goodnow reports that Japanese torpedo boat has visited Shanghai and that Standard Oil Company asks protection plant near Russian Cruiser Askhold. You will inquire what rules of neutrality China proposes to apply in the case. Large foreign interests, particularly American, would be endangered by any conflict in proximity to foreign settlement. We could not actively safeguard our properties by coercing either belligerent, but all rights should be reserved as against party responsible for any injury.

Goodnow has called a meeting of Consular Body to consult upon Taotai's request for neutral Powers to take action. He has been telegraphed that he is not competent, in union with Consular Body, to give effect to Chinese neutrality, but that he may make protest against act endangering innocent neutral interests.

ADEE.

No. 1692.

August 25th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm our recent telegraphic correspondence as follows:

Washington, August---------1904.

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Washington, August 23rd, 1904.

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23. Supplementary yesterday's telegram. Following has been telegraphed to Consul Shanghai, quote: "You will not commit yourself to any theory that the United States could be called upon by China or by the foreign Consuls to guarantee Chinese neutrality(Period). Your province is to safeguard as far as possible American neutral interests if threatened, consulting, if necessary, with Naval Commander (Period). Use utmost circumspection(Period). You may show this to the Admiral. End. Quote.

ADEE.

Peking, August 25th, 1904.

Secstate, Washington.

Confidential. Twentyfifth. Russian Minister informed me unofficially that Japan's course warrants extension of hostile zone anywhere in China, and that Russia will no longer consider the Chinese Government neutral.

CONGER.

Immediately on receipt of your telegram of the 22nd instant, I made the inquiry of the Chinese Government, as instructed, and warned them of the danger of any conflict at Shanghai, in a note a copy of which I enclose, but to which I have not yet received reply. I also explained in a personal interview with the Japanese Minister, the location of the Standard Oil Company's plant, adjacent to the dock where the Askold is lying, and the serious international complications which might arise from any conflict in the vicinity of the foreign settlements.

The Russians have consented to the Japanese demand that the two ships should be disarmed, and it is to be hoped the incident is closed; although it is rumored that, because the Russians have delayed so long, the Japanese have withdrawn the demand for disarming, and will insist on the ships leaving the harbor. The Russian Minister thinks this will bring on a conflict, but I do not believe the Japanese will add another to the Chefoo mistake.

I enclose a copy of the Japanese explanation of the Chefoo incident which has undoubtedly already been handed you by the Japanese Minister in Washington.

When the Russian Minister complained to the Chinese

Government

Conger, Minister, Peking.

Washington, August 23rd, 1904.

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Government that the Russian Consulate at Chefoo was liable to be attacked(he did not mention wireless telegraph station), the Chinese replied that the Japanese said, if they would remove the wireless telegraph station there would be no occasion for an attack. Up to this time the Russians had persistently denied the existence of such station, but now, in order to sustain their theory of a threatened attack, they admit its existence, and attempt to justify their use of it, which, however, is rather incongruous, taken in connection with their own order to treat as spies persons using wireless telegraphy at sea.

I am informed by the Foreign Office that the French also have a wireless telegraph station at Shu-lan-hua, a small island about six miles along the coast east of Chefoo, which, it is believed, is used in connection with the Russian station at Chefoo.

It was in a general, friendly discussion of the situation yesterday that the Russian Minister told me that Japan, by her action in seizing the ~~Restchitelni~~ Ryeshetelni, by threatened attack upon their Consulate and wireless telegraph station, by enlisting Hung-hu-tzu's in neutral territory, etc., had broken the agreement as to the restriction of the neutral zone, and that in consequence Russia would be justified in extending it anywhere in China which she found convenient, and that she would now so extend it.

He also said that China could no longer be considered neutral; that she had connived with Japan at Chefoo, was doing the same at Shanghai, that they had indisputable proof that Viceroy Yuan Shih-k'ai had encouraged and advised the Japanese to organize and arm Chinese in the part of Manchuria now occupied by them, and that such organizing, to some extent, was already going on there; that he would so notify the Chinese Government, and that Russia

would

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would

would take such action as seemed to her necessary, in any part of the Empire, to recoup the value of the Reschitelni and other losses, or to settle any other grievances of which they have a long account, and that the Northwestern boundary of the Chinese Empire would afford the most convenient place for such settlement.

It is true that the tense strain of recent events naturally somewhat excited the Minister, but I apprehend there is at least sufficient truth in his statements to serve as a warning of what may happen.

Both belligerents are charged with cherishing a determination to bring China into the conflict, and I confess that my belief in that direction, heretofore expressed, has in no way been lessened by recent events.

From recent confidential talks with the Ministers of the Wai Wu Pu, I am satisfied that the Chinese Government, so far as its knowledge of international law and precedents, and its ability to execute and enforce are concerned, is doing its best to preserve a strict neutrality; and if it fails, it will be on account of unauthorized acts of its provincial or military officials, or of unjustifiable proceedings of one or both of the belligerents.

I have noted carefully your telegraphic instructions to Consul General Goodnow, about committing himself to any theory or scheme for international guaranty of, or to give effect to, Chinese neutrality, and had myself previously telegraphed him to take no action in this direction without instructions from the Department or the Legation.

Mr. Goodnow has reported you promptly and fully all happenings at Shanghai; a repetition of which from the Legation I have not thought necessary.

You are able to get quite as early and as reliable war news as we do here, so I have not thought best to send

expensive

would take such action as seemed to her necessary, in any part of the Empire, to recoup the value of the Boxer indemnity and other losses, or to settle any other grievances of which they have a long account, and that the Northwestern boundary of the Chinese Empire would afford the most convenient place for such settlement.

It is true that the tense strain of recent events naturally somewhat excited the Minister, but I apprehend there is at least sufficient truth in his statements to serve as a warning of what may happen.

Both belligerents are charged with contemplating a determination to bring China into the conflict, and I confess that my belief in that direction, heretofore expressed, can in no way been lessened by recent events.

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Mr. Goodnow has reported you promptly and fully all happenings at Changhai; a repetition of which from the Legation I have not thought necessary.

You are able to get quite as early and as reliable war news as we do here, so I have not thought best to send extensive

expensive telegrams of questionable value.

Recent reliable information comes to me that practically all the Russian ships that returned to Port Arthur from the sortie of the 10th instant were in greatly damaged condition, and are making hasty and temporary repairs in order to attempt another escape.

The published reports of the Japanese losses in attacks upon Port Arthur are greatly exaggerated, although it is known that they have been very heavy, and must of necessity be so in all infantry assaults upon such a stronghold. I have creditable information that neither the ammunition nor the supplies of the besieged at Port Arthur can last for more than two months; therefore its early fall may be safely counted on.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Conger to Prince Ch'ing, August 23rd, 1904.
2. Japanese Official Statement in Reschitelni Incident.

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Enclosures:

1. Mr. Conger to Prince Ch'ing, August 25rd, 1904.
2. Japanese Official Statement in Kenoniteini Incident.

Enclosure No./ In Despatch No./692.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 23rd, 1904.

Your Imperial Highness:

I have the honor to call the attention of Your Imperial Highness to the fact that it is reported that the Russian cruiser, Askold, is in dock adjacent to the plant of the Standard Oil Company in Shanghai. This property would be greatly endangered by a conflict with said cruiser in its present location. In fact very large foreign interests, particularly American, would be jeopardized by any conflict in proximity to the foreign settlements.

I am therefore directed by my Government to inquire what rules of neutrality China proposes to apply in this case.

Under all the circumstances it may be impracticable for the United States to actively safeguard American properties by coercing either belligerent, but it will reserve all rights as against any party responsible for all direct or resultant injuries.

Your immediate attention is called to the importance of this matter and an early reply is requested.

I avail myself of the opportunity to renew to Your Imperial Highness the assurance of my highest consideration.

(Signed) E. H. Conger.

Envoy Extraordinary and

Minister Plenipotentiary of the

United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

Enclosure No.1 In Despatch No.192.

Mr. Conger to Prince Ch'ing.

Legation of the United States of America,

Peking, August 23rd, 1904.

Your Imperial Highness:

I have the honor to call the attention of Your Imperial Highness to the fact that it is reported that the Russian cruiser, Askold, is in dock adjacent to the plant of the Standard Oil Company in Shanghai. This property would be greatly endangered by a conflict with said cruiser in its present location. In fact very large foreign interests, particularly American, would be jeopardized by any conflict in proximity to the foreign settlements.

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(Signed) E. H. Conger.

Envoy Extraordinary and

Minister Plenipotentiary of the

United States.

To His Imperial Highness, Prince of Ch'ing,

President of the Board of Foreign Affairs.

The Reshitelnai Incident.

OFFICIAL STATEMENT OF THE POSITION OF THE JAPANESE GOVERNMENT REGARDING THE INCIDENT.

The status of China in the present struggle is wholly unique. Nearly all military operations are being carried on within her borders. She is no party to the conflict; nevertheless her territories are partly belligerent and partly neutral. Such a condition of things in view of international law is an anomaly and a contradiction in this case. It is a creation of a special understanding to which the belligerents have given their support. With a view to limiting the area of hostilities in the interests of international intercourse and the general tranquility of China, the Japanese Government engaged to respect the neutrality of China outside the regions actually involved in the war, provided the Russians made a similar engagement, and carried it out in good faith. The Japanese Government considered they were precluded by the engagement from occupying or making use of for warlike purposes any territory or ports of China outside the zone which was made the theatre of war, because it seemed to them that any such occupation or the use of neutral Chinese territory or ports by the Russian forces, would give effect to the proviso of the Japanese engagement, and justify her considering the territory and the ports so occupied as belligerent.

In other words, the Japanese Government hold China's neutrality imperfect, applicable only to places not occupied by the armed forces of either belligerent, and that the Russians cannot escape the consequences of unsuccessful war by moving their army and navy into those portions of China which were made by the arrangement conditionally neutral.

The Reshitelnai escaped from Port Arthur and sought in Chefoo, asylum from attack which her home port had ceased to afford her. Taking that step she is guilty of a breach of the neutrality of China, as established by the agreement of the belligerents, and Japan was fully justified in regarding the harbour of Chefoo as belligerent, so far as the incident in question is concerned. With the termination of the incident the neutrality of the port is revived. The action taken by Japan in Chefoo was the direct and natural consequence of Russia's disregard of her engagements. But it is not alone in this matter, nor alone in Chefoo that Russia has flagrantly violated the neutrality of China and ignored her own engagements. Shortly after the investment and isolation of Port Arthur began, a system of wireless telegraphy was installed between the beleagured fortress and the Russian Consulate at Chefoo. That system is still in operation, notwithstanding the repeated protest of the Japanese Government.

At Shanghai, at the beginning of the war, the Russian gunboat Mandjur, in defiance of the neutrality of China remained in the port for several weeks after recieving notice to leave the port from the Chinese authorities. She finally, after long negotiations, consented to disarmament. Again the Russian cruiser Askold and the destroyer Grosovoi have been now in Shanghai more than a week and

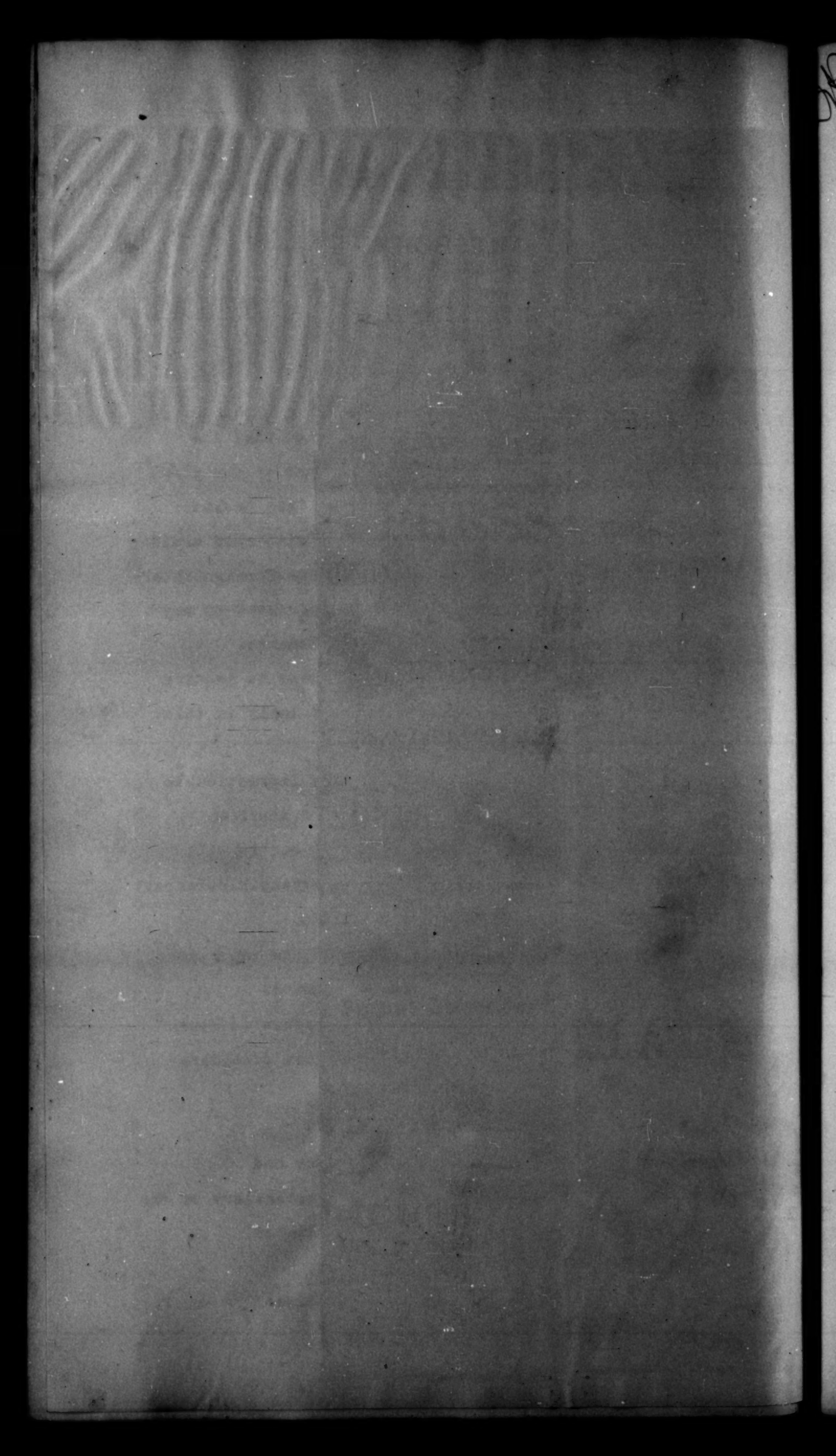
August 21th, 1904.

refuse to leave or disarm. The Japanese Government has no intention of disregarding the neutrality of China so long as it is respected by Russia, but they cannot consent that Russian warships, as the result of broken engagements and violated neutrality, shall unchallenged find in the harbours of China safe refuge from capture and destruction.

The statement of the commander of the Reshitelnai that his ship disarmed upon arrival at Chefoo is untrue. The vessel was fully armed and manned when she was visited by Lieutenant Terashima early on the morning of the 12th. But in any event disarmament would not fullfil the requirements of the neutrality regulations of China, and it was for China not the Russians to decide whether the alternative of disarmament was acceptable.

It has been suggested in many quarters that the present case may be compared with the case of Florida, among others. But the Japanese Government draw a clear distinction between the two events. The neutrality of Brazil was perfect and unconditional; and the port of Bahia was a long distance from the seat of war; whereas the neutrality of China is imperfect and unconditional, and the port of Chefoo is in close proximity to the zone of military operations.

The reports of the Japanese and Russian officers who took part in the Chefoo incident agree that the Reshitelnai was the aggressor, being the first to commence hostilities which resulted in the capture. That fact would, the Japanese Government believes, deprive Russia of any grounds for complaint which she might possess if the lawfulness of the capture were otherwise. In this respect the present case resembles the cases of the American privateer of General Armstrong and the British ship Anne. The case of the Reshitelnai is in itself of trifling moment but it involves a principle of paramount importance. Experience has shown that China takes inadequate steps to enforce her neutrality laws. If in these circumstances the Reshitelnai could make Chefoo harbour a refuge, then great ships of Russia might do the same and nothing would prevent those ships issuing from their retreat to attack Japan. The necessity for guarding against such an eventuality is too commanding and too overwhelming to permit the Reshitelnai to stand as a precedent. This incident in no way affects foreign commerce, or disturbs the general situation of China. It merely serves as notice to Russia that she must keep her engagements in future.



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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1693.

August 29, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Recognition of George E. Anderson, as United States Consul at Hangchow.

(Dep't Instruction No. 816, July 6, complied with)

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No. 1693.

August 29, 1904.

Mr. Conger to the Secretary of State.

Subject:

Recognition of George E. Anderson, as United States Consul at Hongkong.

(Dep't Instruction No. 816, July 6, complied with)

No. 1693.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 29th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 816 of July 6 last, enclosing the Commission of George E. Anderson, of Illinois, as Consul of the United States at Hangchow.

The Foreign Office has granted him formal recognition in the ordinary manner, and a notification to this effect, together with the Commission have been sent to him through the medium of the Consul General at Shanghai.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1,942.

August 29th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 811 of July 6 last, inclosing the Commission of George R. Anderson, of Illinois, as Consul of the United States at Hangchow.

The Foreign Office has granted him formal recognition in the ordinary manner, and a notification to this effect accordingly with the Commission have been sent to him through the medium of the Consul at Shanghai.

I have the honor to be, Sir,

Your obedient servant,

M. Emory.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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Mr. Conger to the Secretary of State.

Subject:

Part II of Returns of Trade & Trade Reports for the year 1903, transmitted under separate cover.

One copy forwarded to Com. & Labor Oct. 11. 04, the other filed in Bureau of Trade Relations.

Ack. F.S. Acted Oct 13

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No. 1[illegible]

August 29, 1904.

Mr. Conger to the Secretary of State.

Enclosed:

Part II of Returns of Trade & Trade Reports for the year 1903, transmitted under separate cover.

No. 1694.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 29th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1575 of April 14 last, I have the honor to transmit under separate cover duplicate copies of Part II of the Returns of Trade & Trade Reports for the year 1903, published by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures under separate cover.

No. 1644.

August 29th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1378 of April 1st last, I have the honor to transmit under separate cover duplicate copies of Part II of the Returns of Trade & Trade Reports for the year 1903, published by the Imperial Maritime Customs.

I have the honor to be, Sir,

Your obedient servant,

Enclosures under separate cover.

No. 1695

DIPLOMATIC
OCT 10 1904

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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August 30th, 1904.

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Mr. Conger to the

Secretary of State.

FOR RELS 1904.

Subject: Continuing Legation No. 1692. Transmitting copy of Prince Ch'ing's reply referred to therein.

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CHIEF CLERK
OCT 10 1904
Department of State.

No. 1695

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

August 30th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Continuing my No. 1692 of August 26th, I enclose herewith copy of Prince Ch'ing's reply to my note of the 23rd instant,

and have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Prince Ch'ing to Mr. Conger, August 27th, 1904.

Enclosure No.— In Despatch No. 1695.

Prince Ch'ing to Mr. Conger.

On the 13th day of the 7th Moon, (Aug. 23rd, 1904), I received a despatch from Your Excellency saying that Your Excellency had received a cablegram from the (American) Department of State stating that Russian Warships were in Shanghai harbor, in close proximity to the premises of the Standard Oil Co., and that in the event of hostilities there was grave danger to their oil warehouses as well as to property belonging to merchants of other nationalities, and asking what rules of neutrality would be enforced in this case, as in the event of injury to American interests and property, those answerable for damages will be held strictly responsible."

Upon enquiry it appears that when the Russian warships escaped from Port Arthur and entered Shanghai harbor, this Board at once sent a despatch to the Russian Minister resident at this Capital, asking him to in turn inform the commanders of the said vessels that they must quickly execute the necessary repairs, and within a prescribed period(specified), leave the harbor, or at once have the munitions of war and machinery removed, in accordance with the principles of international law and regulations of neutrality.

We have now received a telegram from the Shanghai Taot'ai saying that the commanders of the Russian vessels have agreed to lower their flags at 7 P.M. on August 25th, which is to be considered as equivalent to disarmament; the soldiers will be withdrawn and the sailors will be sent home, in accordance with the precedent established in the case of the Mandjour.

This Board at once telegraphed to the said Taot'ai to see that this is carried out as stated. There will be no damage to the property of the Standard Oil Co. or other

foreign

Enclosure No.— In Despatch No. 169.

Prince Ch'ing to Mr. Conger.

On the 13th day of the 7th Moon, (Aug. 23rd, 1904), I received a despatch from Your Excellency saying that Your Excellency had received a cablegram from the (American) Department of State stating that Russian Warships were in Shanghai harbor, in close proximity to the premises of the Standard Oil Co., and that in the event of hostilities there was grave danger to their oil warehouses as well as to property belonging to merchants of other nationalities, and asking what rules of neutrality would be enforced in this case, as in the event of injury to American interests and property, those answerable for damages will be held strictly responsible."

Upon enquiry it appears that when the Russian warships escaped from Port Arthur and entered Shanghai harbor, this Board at once sent a despatch to the Russian Minister resident at this Capital, asking him to in turn inform the commanders of the said vessels that they must quickly execute the necessary repairs, and within a prescribed period(specified), leave the harbor, or at once have the munitions of war and machinery removed, in accordance with the principles of international law and regulations of neutrality.

We have now received a telegram from the Shanghai Taot'ai saying that the commanders of the Russian vessels have agreed to lower their flags at 7 P.M. on August 25th, which is to be considered as equivalent to disarmament; the soldiers will be withdrawn and the sailors will be sent home, in accordance with the precedent established in the case of the Mandjour.

This Board at once telegraphed to the said Taot'ai to see that this is carried out as stated. There will be no damage to the property of the Standard Oil Co. or other foreign

foreign interests there.

As in duty bound this Board at once communicates this to Your Excellency for transmittal to the State Department.

Dated:

Kuang-hsu Reign, 30th Year, 7th Moon, 17th Sun,
(27th Aug., 1904).

Enclosure No.--- In Despatch No. 169.

Prince Ch'ing to Mr. Conger.

As in duty bound this Board at once communicates this to Your Excellency for transmittal to the State Department.

Dated: Kuang-hsu Reign, 30th Year, 7th Moon, 17th Sun, (27th Aug., 1904).

On the 15th day of the 7th Moon, (Aug. 25rd, 1904), I received a despatch from Your Excellency saying that Your Excellency had received a cablegram from the (American) Department [illegible] Shanghai harbor to the premises of the Standard Oil Co., and that in the event of hostilities there was grave danger to their storehouses as well as to property belonging to merchants of other nationalities, and asking what rules of neutrality would be enforced in this case, as in the event of injury to American interests and property, those answerable for damages will be held strictly responsible."

Upon enquiry it appears that when the Russian warships escaped from Port Arthur and entered Shanghai harbor, this Board at once sent a despatch to the Russian Minister resident at this Capital, asking him to in turn inform the commanders of the said vessels that they must quickly execute the necessary repairs, and within a prescribed period(specified), leave the harbor, or at once have the munitions of war and machinery removed, in accordance with the principles of international law and regulations of neutrality.

We have now received a telegram from the Shanghai Taot'ai saying that the commanders of the Russian vessels have agreed to lower their flags at 7 P.M. on August 25th, which is to be considered as equivalent to disarmament; the soldiers will be withdrawn and the sailors will be sent home, in accordance with the precedent established in the case of the Mandjour.

This Board at once telegraphed to the said Taot'ai to see that this is carried out as stated. There will be no damage to the property of the Standard Oil Co. or other foreign

No. 1696.

DIPLOMATIC BUREAU. OCT 20 1904

DEPT OF STATE OCT 19 1904 ASST SECRETARY

DIPLOMATIC BUREAU. ACK. AND FILE.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

INDEX BUREAU RECD. OCT 19 1904 DEPT OF STATE

September 3rd, 1904.

Ackd Oct 21. File

Mr. Conger to the

Secretary of State.

CHIEF CLERK, OCT 19 1904 Department of State.

Subject: Changes among Chinese Officials. The Viceroy of the Two Kiangs and the Viceroy of Min Ché exchange places.

INDEX BUREAU OCT 21 1904 FILED

No. 1414.

September 3rd, 1904.

Mr. Conger to the

Secretary of State.

Subject: Changes among Chinese Officials. The Viceroy of the Two Kiangs and the Viceroy of Min Chê exchange places.

No. 1696.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 3rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that there was issued on the 1st instant an Imperial Edict decreeing an exchange of posts between the Viceroys of Nanking and Fuchau, as follows:

"Wei Kuang-tao(Viceroy of the Two Kiang at Nanking, and Superintendent of Trade for Southern China) is hereby transferred to the temporary charge of the post of Viceroy of Fukien and Chekiang.

Li Hsing-jui(Viceroy of Fukien and Chekiang)is transferred temporarily to the post of Viceroy of the Two Kiang. Respect this."

I am unable to ascertain the real reason for these transfers. It is believed that just now a stronger man was needed in the vicinity of Shanghai, and as Li Hsing-jui has had considerable experience with foreigners, it is thought he would be a better man for the place.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1414.

September 3rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that there was issued on the 1st instant an Imperial Edict decreeing an exchange of posts between the Viceroys of Nanking and Hupeh, as follows:

"Wei Kuang-tao(Viceroy of the Two Kiang at Nanking; and Superintendent of Trade for Southern China) is hereby transferred to the temporary charge of the post of Viceroy of Hupeh and Chekiang.

Li Hsing-jui(Viceroy of Hupeh and Chekiang)is transferred temporarily to the post of Viceroy of the Two Kiang. Respect this."

I am unable to ascertain the real reason for these transfers. It is believed that just now a stronger man was needed in the vicinity of Shanghai, and as Li Hsing-jui has had considerable experience with foreigners, it is thought he would be a better man for the place.

I have the honor to be, Sir,

Your obedient servant,

No. 1697.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.



September 5th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Books for the Legation Library. Acknowledging the receipt of #821 of July 9th and #826 of July 27th, with the books referred to.



No. 1697.

September 5th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Books for the Legation Library. Acknowledging the receipt of #821 of July 9th and #828 of July 27th, with the books referred to.

Law, by Saunde

In Chi

Sir [illegible]

No. 1697.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 5th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instructions Nos. 821 of July 9 and 826 of July 27, 1904, together with the following books which have been received in good condition:

Yale Law Journal, 3 Vols., April, May and June, 1902;

China in Decay;

Maritime Law, by Saunders;

The Englishman in China;

The Life of Sir Harry Parks.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1697.

September 5th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instructions Nos. 821 of July 9 and 826 of July 27, 1904, together with the following books which have been received in good condition:

Yale Law Journal, 3 Vols., April, May and June, 1908;

China in Decay;

Maritime Law, by Saunders;

The Englishman in China;

The Life of Sir Harry Parkes.

I have the honor to be, Sir,

Your obedient servant,

Mr. Rockhill.

No. 1698.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC BUREAU OCT 21 1904

September 7th, 1904.

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Mr. Conger to the

Secretary of State.

CHIEF CLERK,
OCT 19 1904
Department of State.

To Prof. J. H. Jenks Oct 25

Subject: Departure of Professor Jenks. His mission. Unfavourable prospects. Results achieved. General considerations.

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No. 1[illegible]

September 7th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Departure of Professor Jenks. His mission. Unfavourable prospects. Results achieved. General considerations.

No. 1698.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that Professor Jenks left Peking for home on the 27th instant.

His task was a very difficult one, and at first the prospects were rather discouraging; but by patience, persistence, and clever presentation of his unsurpassed knowledge of the subject, he has made great progress. He has practically brought the Chinese Government to believe that his plan is the correct one, and ought, if possible, to be adopted; yet they greatly fear that so radical a change in their financial system cannot at present be carried out by a Government which has so little real power over its separate provinces. However, they have promised to at once consult the leading Viceroys and Governors and see what can be done; but whether or not Professor Jenks' plan is adopted, his instruction and advice will aid the Chinese Government greatly in its efforts to adopt a uniform currency as required by the recent treaties, and his further assistance is most likely to be solicited by them.

Professor Jenks has been treated with the greatest respect and consideration by the Chinese Officials. They feel that he has been of great service to them, and it is certain that much good will result from his mission, for all of which he deserves great credit.

I enclose herewith a copy of a communication received from Professor Jenks after his departure, and add that

it

No. 1492.

September 7th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that Professor Jenks left Peking for home on the 27th instant.

His task was a very difficult one, and at first the prospects were rather discouraging; but by patience, persistance, and clever presentation of his unanswered knowledge of the subject, he has made great progress. He has practically brought the Chinese Government to believe that his plan is the correct one, and ought, if possible, to be adopted; yet they greatly fear that so radical a change in their financial system cannot at present be carried out by a Government which has so little real power over its separate provinces. However, they have promised to at once consult the leading Viceroys and Governors and see what can be done; but whether or not Professor Jenks' plan is adopted, his instruction and advice will aid the form currency as required by the recent treaties, and his further assistance is most likely to be solicited by them.

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I enclose herewith a copy of a communication received from Professor Jenks after his departure, and add that

it has been a great pleasure to all at this Legation to give him such aid as was possible.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Professor Jenks to Mr. Conger, August 31st, 1904.

It has been a great pleasure to all at this Legation to give him such aid as was possible.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Professor Jones to Mr. Conger, August 31st, 1900.

Enclosure No.- In Despatch No. 1698.

Professor Jenks to Mr. Conger.------

Commission on International Exchange
of the United States of America,
Shanghai, August 31, 1904.

Honorable E. H. Conger,

Envoy Extraordinary, etc., etc.,

American Legation, Peking, China.

My dear Mr. Conger:-

Before I leave China for the United States I should like to make a brief statement to you regarding my work here. It may be of some interest.

When I first began my work in Peking after returning from the south, it seemed to me that the members of the Government whom I met looked at the whole question, as far as the attitude of the United States was concerned, with indifference, and that they were also inclined to distrust its motives. As our discussions went on the attitude changed from indifference to one of decided interest, and I think also that their feelings of distruct were largely removed.

They announced to me at the beginning that it was their intention to begin their system on the silver basis and go gradually on to the gold basis. They apparently now think it would be much better to begin with their silver coins on a gold parity and to maintain them there, if it it is possible for them to do this. They are not yet quite sure that it will be possible for them to start that way from the beginning; but the President of the Board of Revenue said to me at our last formal conference that he saw no reason why the plans of the Commission on International Exchange were not entirely practicable.

At our earlier conferences, while they said that some time they would need expert help, they apparently felt no need for experts for some considerable time to come; at any

rate

reading

reading and from my conversations with people familiar with Chinese conditions.

I wish to thank you particularly for the very great assistance which I have received from you. Without your aid it would not have been possible for me to secure the meetings and attention which have been so necessary for the work. Even more valuable than your direct aid with the Chinese Government, has been the personal advice which, at my request, you have given me on more than one occasion. This advice, based on your long experience here and your knowledge of Chinese officials, has in more than one instance determined my positive action and in other cases has prevented action which doubtless would have been unwise. I wish to express strongly my hearty appreciation of your help.

I expect to sail from Shanghai on the seventh of September and shall of course make my report to the Government at Washington at the earliest opportunity.

With cordial regards and esteem, I remain,

Very sincerely yours,

(Signed) Jeremiah W. Jenks,

Commissioner.

reading and from my conversations with people familiar with Chinese conditions.

I wish to thank you particularly for the very great assistance which I have received from you. Without your aid it would not have been possible for me to secure the meetings and attention which have been so necessary for the work. Even more valuable than your direct aid with the Chinese Government, has been the personal advice which, at my request, you have given me on more than one occasion. This advice, based on your long experience here and your knowledge of Chinese officials, has in more than one instance determined my positive action and in other cases has prevented action which doubtless would have been unwise. I wish to express strongly my hearty appreciation of your help.

I expect to sail from Shanghai on the seventh of September and shall of course make my report to the Government at Washington at the earliest opportunity. With cordial regards and esteem, I remain, Dear Sir,

Very sincerely yours,

(Signed) Jeremiah W. Jenks,

Commissioner.

No. 1699.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
OCT 19 1904
BUREAU.

September 8th, 1904.

Mr. Conger to the
Secretary of State.

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Subject: The International Congress of Military Surgeons. China will not be represented. Compliance with Department Instruction of July 21.

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OCT 20 1904
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September 8th, 1904.

Mr. Conger to the

Secretary of State.

Subject: The International Congress of Military Surgeons.

China will not be represented. Compliance with

Department Instruction of July 21.

No. 1699.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that on receipt of Department Instruction of July 21 I again wrote to the Foreign Office to ask what decision had been arrived at as to the sending of delegates to the International Congress of Military Surgeons, and asking for an early reply.

This has been received and is to the effect that the Northern and Southern Superintendents of Trade had both been telegraphed to, and that the answer in each case was that the exigencies of the service were such that it was impossible to accept the invitation referred to.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1499.

September 8th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that on receipt of Department Instruction of July 21 I again wrote to the Foreign Office to ask what decision had been arrived at as to the sending of delegates to the International Congress of Military Surgeons, and asking for an early reply.

This has been received and is to the effect that the Northern and Southern Superintendents of Trade had both been telegraphed to, and that the answer in each case was that the exigencies of the service were such that it was impossible to accept the invitation referred to.

I have the honor to be, Sir,

Your obedient servant,

Gilbert

No. 1700.

DEP'T OF STATE OCT 19 1904 SECRETARY

DIPLOMATIC BUREAU, Ack. approving. Give to Press. aab

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

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DIPLOMATIC OCT 20 1904 BUREAU.

September 9th, 1904.

Mr. Conger to the
Secretary of State.

Ackd Oct 21. Filed J.C.

CHIEF CLERK, OCT 19 1904 Department of State.

Subject: Threatened massacre at Ta Ming Fu. Protection demanded and given. Advice of the local authorities. Temporary departure of the missionaries. Future prospects.

INDEX BUREAU OCT 22 1904 FILED

No.

September 9th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Threatened measure at Ta Ming Fu. Protection demanded and given. Advice of the local authorities. Temporary departure of the missionaries. Future prospects.

No. 1700

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

On the 12th ultimo I received information through the Superintendent of the Peking-Hankow Railway that a notice had been posted on the door of the South Chihli Mission and other places, in the city of Ta Ming Fu, to the effect that the mission would be attacked and destroyed and all foreigners murdered on August 15th; that the Ta Ming officials would not let the missionaries telegraph me, hence he had been requested to inform me of the situation.

I immediately notified the Wai Wu Pu and Viceroy Yuan Shih-k'ai, demanding that prompt and sufficient measures be taken for protection. The required orders were at once telegraphed to Ta Ming and the massacre did not take place as announced.

The local official informed the missionaries that he would protect them, and that the parties who put up the placard should be punished. He, however, warned them that as the examinations were to begin in the city the next week with a probable attendance of some five thousand students, it would be safer for the missionaries to lock themselves in their compounds and not be seen outside until the examinations were over.

As Mr. Houlding, the head of this mission, was absent in America, and those remaining were inexperienced and mostly women and children, they thought it best for them all to go to Peitaiho for a while, which they did, leaving their property at Ta Ming and neighboring stations in the hands of the local officials

It

No.

September 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

On the 12th ultimo I received information through the Superintendent of the Peking-Hankow Railway that a notice had been posted on the door of the South Chihli Mission and other places, in the city of Ta Ming Fu, to the effect that the mission would be attacked and destroyed and all foreigners murdered on August 18th; that the Ta Ming officials would not let the missionaries telegraph me, hence he had been requested to inform me of the situation.

I immediately notified the Wai Wu Pu and Viceroy Yuan Shih-K'ai, demanding that prompt and sufficient measures be taken for protection. The required orders were at once telegraphed to Ta Ming and the massacre did not take place as announced.

The local official informed the missionaries that he would protect them, and that the parties who put up the placard should be punished. He, however, warned them that as the examinations were to begin in the city the next week with a probable attendance of some five thousand students, it would be safer for the missionaries to lock themselves in their compounds and not be seen outside until the examinations were over.

As Mr. Goulding, the head of this mission, was absent in America, and those remaining were inexperienced and mostly women and children, they thought it best for them all to go to Peitaiho for a while, which they did, leaving their property at Ta Ming and neighboring stations in the hands of the local officials

It was probably best, under all the circumstances, that they left, but it was unfortunate for their work, as it will encourage their opponents to annoy and frighten them again. Omit

I have advised the men of the party to at once go back, and they will undoubtedly soon do so. In the meantime I have been officially informed that the country is quiet, and that they and their property will be protected.

This is an independent mission as I understand, having no organization behind it at home, and has among its personnel a large number of women and children; [to take whom so far into the interior seems to me a great mistake.] Omit

I shall, upon their return, insist upon the Chinese Government taking extra precautions for their protection in order to counterbalance the ill effects of their going away.

I have the honor to be, Sir,

Your obedient servant,

E. T. Williams

It was probably best, under all the circumstances, that they left, but it was unfortunate for their work, as it will encourage their opponents to annoy and frighten them again.

I have advised the men of the party to at once go back, and they will undoubtedly soon do so. In the meantime I have been officially informed that the country is quiet, and that they and their property will be protected.

This is an independent mission as I understand, having no organization behind it at home, and has nothing the personal a large number of women and children; to take them so far into the interior seems to be a great mistake.

I shall, upon their return, insist upon the Chinese Government taking extra precautions for their protection in order to counterbalance the ill effects of their going away.

I have the honor to be, Sir,

Your obedient servant,

No. 1701.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 9th, 1904.

Mr. Conger to the
Secretary of State.

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Subject: Eighth International Geographic Congress. General announcement handed to the Minister of Foreign Affairs. Compliance with Department Instruction of July 27.

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No. 707.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN CHINA

September 9th, 1904.

Mr. Conger to the
Secretary of State.

Subject: Eighth International Geographic Congress. General announcement handed to the Minister of Foreign Affairs. Compliance with Department Instruction of July 27.

No. 1701.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction of July 27 inclosing a copy of the General Announcement of the Eighth International Geographic Congress to be held in Washington this September.

The announcement has been transmitted to the Minister for Foreign Affairs as directed.

I have the honor to be, Sir,

Your obedient servant,

C. D. Conger

No.

September 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department's telegraphic instruction of July 27 inviting a copy of the General Arrangements of the Eighth International Geographic Congress to be held in Washington this September.

The announcement has been transmitted to the Minister for Foreign Affairs as directed.

I have the honor to be, Sir,

Your obedient servant,

No. 1702.

Mr. Emery.

DIPLOMATIC
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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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September 9th, 1904.

Mr. Conger to the

Secretary of State.

Ans Oct 22

File

Subject: Transmitting under separate cover Customs Gazette* CXLII, April-June 1904. Referring to No. 1633 of June 13 last.

* One copy filed in Bureau of Trade Relations, the other forwarded, Oct 20, 1904, to Dept. of Com. & Labor

Bureau of Trade Relations.

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No.

September 9th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Transmitting under separate cover Customs Gazette
CXLIV, April-June 1904. Referring to No. 1633
of June 15 last.

No. 1702.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1633 of June 13th last, I have the honor to transmit under separate cover duplicate copies of the Customs Gazette No. CXLII-April-June 1904, published by order of the Inspector General of Customs.

I have the honor to be, Sir,

Your obedient servant,

C. D. Coonger

Enclosure under separate cover.

No.

September 9th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to my No. 1853 of June 15th last, I have the honor to transmit under separate cover duplicate copies of the Customs Gazette No. CXLII-April-June 1904, published by order of the Inspector General of Customs.

I have the honor to be, Sir,

Your obedient servant,

Enclosure under separate cover.

No. 1703.

DEP'T OF STATE OCT 19 1904 ASS'T SECRETARY

DIPLOMATIC BUREAU.
Ack. Capt Boyd's report was received.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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DIPLOMATIC OCT 20 1904 BUREAU.

September 10th, 1904.

Ackd Oct 21

File

Mr. Conger to the

Secretary of State.

CHIEF CLERK, OCT 19 1904 Department of State.

Subject: Captain Boyd's report on the Russian Wireless Telegraph Station near Chefoo. Referring to No. 1692 of August 26.

INDEX BUREAU OCT 22 1904 FILED

No.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA

September 10th, 1904.

Mr. Conger to the

Secretary of State.

Subject: Captain Boyd's report on the Russian Wireless Telegraph Station near Chefoo. Referring to No. 1892 of August 30.

No. 1703.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 10th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to that portion of my despatch No. 1692 of August 26th, relating to a wireless telegraph station at Shu-lan-hua, near Chefoo, I have the honor to call your attention to the report of Captain Boyd transmitted to you by Consul General Fowler, but of which I do not deem it necessary to forward another copy.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

September 10th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Referring to that portion of my despatch No. 1099 of August 26th, relating to a wireless telegraph station at Shu-Lien-hua, near Chefoo, I have the honor to call your attention to the report of Captain Hoyt transmitted to you by Consul General Fowler, but of which I do not deem it necessary to forward another copy.

I have the honor to be, Sir,

Your obedient servant,

DEPT OF STATE
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1904
ASSISTANT SECRETARY

DIPLOMATIC BUREAU.
Inform Mr. Julian C. Dawelle.
To Secy of Interior for information
Ack.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1704,

September 13, 1904.

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Mr. Conger to the Secretary of State.

Asked again. Nov 7 C.

Subject:

Chinese Patent Regulations not yet prepared. Will be insisted upon. Receipt of Dep't Instruction No. 822 of July 13, last.

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Acknd. To Sec. Interior
" Julian C Dawelle
Nov. 2.

CHIEF CLERK,
JAN 25 1905
Department of State.

CHIEF CLERK,
OCT 31 1904
Department of State.

No. 1704

September 15, 1906.

Mr. Conger to the Secretary of State.

Enclosure:

Chinese Patent Regulations not yet published.
Will be inclosed upon. Receipt of Dept's In-
struction No. 682 of July 13, last.

No. 1704.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

CHIEF CLERK.
JAN 25 1905
Department of State.

September 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 822 of July 13th last, enclosing a letter from Mr. Julian C. Dowell, requesting information concerning the action taken by the Chinese Government pursuant to the provisions of Article X of the Treaty of October 8th, 1903, as to foreign patents.

As yet no rules or regulations have been prepared in this behalf. I have repeatedly urged the necessity of carrying out the provisions of this Article of the Treaty, and have always received reply that the Board of Commerce are busily employed with the question and will have regulations prepared as soon as it is possible.

On the 29th ultimo I addressed another formal inquiry to Prince Ch'ing upon the subject, and have to-day received his reply, a translation of which I enclose.

This is a difficult question for the Chinese Government, and one, the inclusion of which in our Treaty, was most stubbornly opposed by them; hence it is to be expected that they will put off its execution as long as possible. However, I shall continue to insist upon its accomplishment, and will keep the Department advised.

I have the honor to be, Sir,

Your obedient servant,

C. H. Conger

Enclosure:

Prince Ch'ing to Mr. Conger, September 12th, 1904.

No. 1104.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 882 of July 15th last, enclosing a letter from Mr. Julian S. Dowell, requesting information concerning the action taken by the Chinese Government pursuant to the provisions of Article X of the Treaty of October 8th, 1903, as to foreign patents.

As yet no rules or regulations have been prepared in this behalf. I have repeatedly urged the necessity of carrying out the provisions of this Article of the Treaty, and have always received reply that the Board of Commerce are busily employed with the question and will have regulations prepared as soon as it is possible.

On the 29th ultimo I addressed another formal inquiry to Prince Ch'ing upon the subject, and have to-day received his reply, a translation of which I enclose.

This is a difficult question for the Chinese Government, and one, the imposition of which on our Treaty, was most stubbornly opposed by them; Hence it is to be expected that they will put off its execution as long as possible. However, I shall continue to insist upon its accomplishment and will keep the Department advised.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Prince Ch'ing to Mr. Conger, September 13th, 1904.

F.O.No. 739.
H.

Enclosure No.= In Despatch No. 1704.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt of Your Excellency's letter of Aug. 29th inquiring what steps, if any, have been taken toward the establishment of regulations regarding(the protection of)new inventions. Upon receipt of this letter, my Board at once communicated with the Board of Commerce, who have now replied to our communication as follows:

"As to the regulations for patents, we are even now in the act of considering proposals, and dealing with that very important matter; moreover, we are making an examination of the rules generally current in the various other countries. This is necessary both for the benefit of conditions in our own country and for the benefit of the commerce of other nations. As it is considerable trouble to send for, and examine these regulations of other countries, the compiling is a work which must take time. As soon as we have definite regulations to propose, we will at once send them to you for transmission to others."

Having received this report, it becomes my duty to send it in reply to Your Excellency's letter, that you may be informed of the matter; and at the same time I take the occasion to wish Your Excellency the compliments of the season.

Cards enclosed. 8th Moon, 3rd Day. (Sept. 12, 1904).

F.O.No. 759.
H.

Enclosure No. In Despatch No. 1704.

Prince Ch'ing to Mr. Conger.

I have the honor to acknowledge the receipt of Your Excellency's letter of Aug. 29th inquiring what steps, if any, have been taken toward the establishment of regulations regarding(the protection of)new inventions. Upon receipt of this letter, my Board at once communicated with the Board of Commerce, who have now replied to our communication as follows:

"As to the regulations for patents, we are even now in the act of considering proposals, and dealing with that very important matter; moreover, we are making an examination of the rules generally current in the various other countries. This is necessary both for the benefit of conditions in our own country and for the benefit of the commerce of other nations. As it is considerable trouble to send for, and examine these regulations of other countries, the compiling is a work which must take time. As soon as we have definite regulations to propose, we will at once send them to you for transmission to others."

Having received this report, it becomes my duty to send it in reply to Your Excellency's letter, that you may be informed of the matter; and at the same time I take the occasion to wish Your Excellency the compliments of the season.

Cards enclosed. 8th Moon, 3rd Day. (Sept. 12, 1904).

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1705.

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September 13, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Trade Mark Regulations already forwarded in No. 1681 of August 15, last.

(Reply to Dep't Instruction No. 824, July 14)

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CHIEF CLERK.
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Department of State.

No. 1705

September 13, 1904.

Mr. Conger to the Secretary of State.

Subject:

Trade Mark Regulations Already Transmitted (U. S.
1902 of August 18, Last.

(Reply to Dep't Instruction No. 834, July 14)

No. 1705.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Replying to Department Instruction No. 824 of July 14, I have the honor to refer to my despatch No. 1681 of August 15th, in which was transmitted a copy of the Trade Mark Regulations to be put tentatively in force on October 23rd next, and which is now about due at the Department.

I have the honor to be, Sir,

Your obedient servant,

W. W. Rockhill

September 13th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Replying to Department Instruction No. 224 of July 14, I have the honor to refer to my despatch No. 1091 of August 15th, in which was transmitted a copy of the Trade Mark Regulations to be put tentatively in force on October 23rd next, and which is now about due at the Department.

I have the honor to be, Sir,

Your obedient servant,

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1706.

September 15, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Enclosing correspondence between Mr. Edwin Emerson, jr. and Consul General Miller with reference to the expulsion of the former from Newchwang by the Japanese authorities.

ected
to Japan.
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CHIEF CLERK,
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Department of State.

No. 1706.

September 15, 1904.

Mr. Cowper to the Secretary of State.

Subject:

Relating correspondence between Mr. Durie Stewart, Jr. And Consul General Miller with reference to the expulsion of the former from Newchwang by the Japanese authorities.

No. 1706.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 15th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose copies of letters from Mr. Edwin Emerson and Consul General Miller with regard to the expulsion of the former from Newchwang.

Emerson came out as an accredited war correspondent, but I am told that he was afterwards dismissed. He has been a constant source of irritation and annoyance to every one with whom he has been thrown in contact.

I have the honor to be, Sir,
Your obedient servant,

E. H. Conger

Enclosures:

1. Mr. Emerson to Mr. Conger, with enclosure.
2. Mr. Miller to Mr. Conger, Sept. 12, 1904, with enclosures.

September 15th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose copies of letters from Mr. Edwin Emerson and General Miller with regard to the expulsion of the former from Newchwang.

Emerson came out as an accredited war correspondent, but I am told that he was afterwards dismissed. He has been a constant source of irritation and annoyance to every one with whom he has been thrown in contact.

I have the honor to be, Sir,

Your obedient servant,

Enclosures:

1. Mr. Emerson to Mr. Conger, with enclosure.
2. Mr. Miller to Mr. Conger, Sept. 12, 1904, with enclosure.

Enclosure No. 1, In Despatch No. 1706

Mr. Emerson to Mr. Conger.

Newchwang, August 26th, 1904.

The Hon. Mr. Conger,

American Minister,

Peking, China.

Sir:

Enclosed find copy of my formal protest to Consul General Miller in regard to his disavowal of official responsibility for me as an American citizen, which has now resulted in my expulsion from this port under conditions highly onerous to me.

Respectfully yours,

(Signed) Edwin Emerson, Jr.

c/o American Legation,

Tokio, Japan.

Enclosure No.4. In Despatch No.1706

Mr. Emerson to Mr. Conger.

Newchwang, August 26th, 1904.

The Hon. Mr. Conger,

American Minister,

Peking, China.

Sir:

Enclosed find copy of my formal protest to Consul General Miller in regard to his disavowal of official responsibility for me as an American citizen, which has now resulted in my expulsion from this port under conditions highly onerous to me.

Respectfully yours,

(Signed) Edwin Emerson, Jr.

c/o American Legation,

Tokio, Japan.

(COPY)

Newchwang, Aug. 26, 1904.

Consul-General Miller,

Port Newchwang, China:-

Sir,

As you have already been informed, Major Yokura, the Japanese Military Administrator pro tem of Newchwang, has ordered me to leave Newchwang on account of an alleged infraction on my part of the Japanese military regulations in force at this port. The order specified that I could only leave Newchwang by sea.

Major Yokura, at the time that he issued these verbal orders to me said that he did so because I had been formally disavowed by my Government through you, and that I therefore had no recognized status at this port. Major Yokura added that you had made your disavowal of me in a formal letter to him.

In compliance with the Japanese Administrator's orders I leave Newchwang day after to-morrow on the first available steamer bound for a neutral port. I do so without formal protest to the Japanese authorities because, as a war correspondent regularly accredited to the Japanese forces in the field, I come under their army regulations. I did protest verbally, however, against the allegation that I had violated Major Yokura's military regulations for this port.

(The specific charge was that I had transgressed the specific orders of the military administrator posted up before the custom house that none should enter the military zone on this side of the Liao River without a special pass, when I went thirty miles up river to Sönchahö to the spot where the Russian gunboat "Sivutch" recently destroyed herself. I explained to Major Yokura that in order to reach the wreck of the "Sivutch" I had crossed the Liao River to the southern shore, hitherto expressly recognized as

neutral

(COPY)

Newchwang, Aug. 26, 1904.

Consul-General Miller,

Port Newchwang, China:-

Sir,

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In compliance with the Japanese Administrator's order I leave Newchwang day after to-morrow on the first available steamer bound for a neutral port. I do so without formal protest to the Japanese authorities because, as a war correspondent regularly accredited to the Japanese forces in the field, I come under their army regulations. I did protest verbally, however, against the allegation that I had violated Major Yokura's military regulations for this port.

(The specific charge was that I had transgressed the specific orders of the military administrator posted up before the custom house that none should enter the military zone on this side of the Liao River without a special pass, when I went thirty miles up river to Sanchang to the spot where the Russian gunboat "Sivuton" recently destroyed herself. I explained to Major Yokura that in order to reach the wreck of the "Sivuton" I had crossed the Liao River to the southern shore, hitherto expressly recognized as neutral

neutral by the Japanese, and had proceeded all the way on neutral soil, without a sign anywhere of Japanese occupation, to the point where the wreck of the Sivutch lies close to the neutral shore. This was the truth.)

While I do not protest against the order of my departure I do protest most emphatically, as I did when you first informed me of it one month ago, against your official disavowal of responsibility for me as a citizen of the United States. This act on your part, in view of the fact that you have seen my official passport and that I came to you with a personal letter of recommendation from Assistant Secretary Loomis of the State Department, I denounce as wholly unwarranted and unjustified, no charge of any crime or misdemeanor having been preferred against me at the time, as you yourself admitted to me.

Your disavowal in the eyes of the Japanese authorities in power here, as was made quite clear to me by Major Yokura, for the time being, made me a man without a country.

While I am powerless against the force majeure of the Japanese Military Administrator I herewith protest against that part of his order limiting my departure to the sea. The nearest station of the neutral Chinese railway, as you know, lies only across the river, while the nearest neutral port lies several days' voyage away. Once I have left Newchwang what right have the Japanese to restrict me to the sea? Manchuria.

Very respectfully yours,

(Edwin Emerson, Jr.

(COPY)

neutral by the Japanese, and had proceeded all the way on neutral soil, without a sign anywhere of Japanese occupation, to the point where the wreck of the Sivuton lies close to the neutral shore. This was the truth.)

While I do not protest against the order of my departure I do protest most emphatically, as I did when you first informed me of it one month ago, against your official disavowal of responsibility for me as a citizen of the United States. This act on your part, in view of the fact that you have seen my official passport and that I came to you with a personal letter of recommendation from Assistant Secretary Loomis of the State Department, I denounce as wholly unwarranted and unjustified, no charge of any crime or misdemeanor having been preferred against me at the time, as you yourself admitted to me.

Your disavowal in the eyes of the Japanese authorities in power here, as was made quite clear to me by Major Yokmura, for the time being, made me a man without a country. I do no without a steamer bound for a neutral port. While I am powerless against the force majeure of the Japanese Military Administrator I herewith protest against that part of his order limiting my departure to the sea. The nearest station of the neutral Chinese railway, as you know, lies only across the river, while the nearest neutral port lies several days' voyage away. Once I have left Manchuria what right have the Japanese to restrict me to the sea?

Manchuria.

Very respectfully yours,

(Edwin Emerson, Jr.

Enclosure No. 2 In despatch No. 1706.

Mr. Miller to Mr. Conger..

Consulate General of the United States,

Newchwang, China, Sept. 12th, 1904.

Hon. E. H. Conger,

E. E. & M. P. of the U. S. A.,

Pekin, China.

Sir:

I have to acknowledge your despatch No. 2562 of Aug/ 29th, 1904, concerning a complaint from Mr. Edwin Emerson, Jr., In reply thereto I beg to say that Mr. Emerson was ordered to leave here by the Japanese Authorities as per enclosed copy of a communication.

In compliance therewith I notified Mr. Emerson of their request and he replied that he would not go. I then sent to the Military Administrator a communication of which the enclosed is a copy. Mr. Emerson informed me that he would enter the lines of the Japanese Army at his pleasure and opportunity and that they could only arrest him and turn him over to me and when in the Consulate and this port he would be free to repeat the violation of their Military rules.

I advised him that I could not sanction such violations and while I could not deport him I would refuse to intercede for him and the Japanese Military authorities could deal with him according to their regulations.

He went again into their lines with permission according to their report, and for this was ordered out.

Mr. Emerson came to me and advised me of the case, and I told him that I could do nothing to prevent the execution of their orders. I had no other official communication than the enclosed with the Japanese Authorities on the subject.

As

Enclosure No. 2 In despatch No. 1761.

Mr. Miller to Mr. Conger.

Consulate General of the United States,

Newchwang, China, Sept. 12th, 1904.

Hon. E. H. Conger,

E. E. & M. P. of the U. S. A.,

Peking, China.

Sir:

I have to acknowledge your despatch No. 2562 of Aug. 29th, 1904, concerning a complaint from Mr. Edwin Emerson, Jr. In reply thereto I beg to say that Mr. Emerson was ordered to leave here by the Japanese Authorities as per enclosed copy of a communication.

In compliance therewith I notified Mr. Emerson of their request and he replied that he would not go. I then sent to the Military Administrator a communication of which the enclosed is a copy. Mr. Emerson informed me that he would enter the lines of the Japanese Army at his pleasure and opportunity and that they could only arrest him and turn him over to me and when in the Consulate and this port he would be free to repeat the violation of their Military rules.

I advised him that I could not sanction such violations and while I could not deport him I would refuse to interceede for him and the Japanese Military authorities could deal with him according to their regulations.

He went again into their lines with permission according to their report, and for this was ordered out.

Mr. Emerson came to me and advised me of the case, and I told him that I could do nothing to prevent the execution of their orders. I had no other official communication than the enclosed with the Japanese Authorities on the subject.

As

As he had previous warning, and deliberately chose to violate their regulations and orders, I considered their treatment very mild and quite generous and I could find no grounds for complaint. I understand that Mr. Emerson had been dismissed as Correspondent and was not representing any paper.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) H. B. Miller.

Enclosed copy of despatch from the Japanese Administrater,

" of letter to the " "

In compliance therewith I notified Mr. Emerson of their request and he replied that he would not go. I then sent to the Military Administrator a communication of which the enclosed is a copy. Mr. Emerson informed me that he would enter the lines of the Japanese Army at his pleasure and opportunity and that they could only arrest him and turn him over to me and when in the Consulate and this port he would be free to repeat the violation of their Military rules.

I advised him that I could not sanction such violations and while I could not deport him I would refuse to intercede for him and the Japanese Military authorities could deal with him according to their regulations.

He went again into their lines with permission according to their report, and for this was ordered out.

Mr. Emerson came to me and advised me of the case, and I told him that I could do nothing to prevent the execution of their orders. I had no other official communication than the enclosed with the Japanese Authorities on the subject.

As

(Copy)

Newchwang, July 28th, 1904.

Sir:

I have the honor to inform you that Mr. Edwin Emerson, an American citizen, has been found within the lines of the Japanese Army without proper authority. It is incorrect for him to be within the line unless he has the same authority and proper assigned. He must not return to the Japanese Army without this authority and request you to have him leave and go to outside of the line.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) Major K. Takayama,

H.I.J.M.Military Administrator.

To Mr. Miller,

Consul General of the U.S.A.

(Copy)

Wewohwang, July 28th, 1904.

Sir:

I have the honor to inform you that Mr. Edwin Emerson, an American citizen, has been found within the lines of the Japanese Army without proper authority. It is incorrect for him to be within the lines unless he has the same authority and proper assigned. He must not return to the Japanese Army without this authority and request you to have him leave and go to outside of the lines.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) Major K. Takayama,

H.I.J.M.Military Administrator.

To Mr. Miller,

Consul General of the U.S.A.

Copy.

No. 247.

United States Consulate General,

Newchwang, China, August 3rd, 1904.

Major K. Yokura,

H.I.J.M. Military Administrator,

Newchwang.

Sir:

I have the honor to inform you that I have followed your request and informed Mr. Emerson that it was your wish he should leave this port.

He informed me that he could not be governed by your wishes. As I am without authority over American citizens unless they commit a crime or breach of the peace, you will have to deal with him according to your Military regulations as you may deem best.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) Henry B. Miller,

U.S.Consul General.

(Copy.)

No. 247.

Newchwang, July 28th, 1904.

Sir:

United States Consulate General,

I have the honor Newchwang, China, August 3rd, 1904.on,

Major E. Johnson, has been found within the lines of

the U.S.T.M. Military Administration, It is incorr-

ect for him to be within Newchwang unless he has the same

authority and proper assigned. He must not return to the

I have the honor to inform you that I have followed

your request and informed Mr. Emerson that it was your

wish he should leave this port. to be.

He informed me that he could not be governed by your

wishes. As I am without authority over American citizens

unless they commit a crime or breach of the peace, you

will have to deal with him according to your Military

regulations as you may deem best.

Consul Gen'l have the honor to be,

Sir,

Your obedient servant,

(Signed) Henry B. Miller,

U.S.Consul General.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1707.

September 17, 1904

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Mr. Conger to the Secretary of State.

Subject:

Certification of consular invoices at Tsingtao.

Receipt of Dept Instruction No. 829 , Aug. 4.

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No. 1727

September 17, 1904

Mr. Conger to the Secretary of State.

Subject:

Certification of consular invoices at Tsingtao.

Receipt of Dpt. Instruction No. 829 , Aug. 4.

No. 1707.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 829 of August 4, informing me that the Department decided on July 13, 1904, that invoices from Tsingtao could be certified by the Consul of a friendly nation, or by two respectable merchants.

On the receipt of the Department's telegram to this effect, which reached me on August 24, I immediately communicated this decision to my German Colleague at whose request the enquiry was made.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1707

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA

September 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Instruction No. 838 of August 4, informing me that the Department decided on July 23, 1904, that invoices from Tsingtao could be certified by the Consul of a friendly nation, or by two respectable merchants.

On the receipt of the Department's telegram to this effect, which reached me on August 24, I immediately communicated this decision to my German Colleague at whose request the enquiry was made.

I have the honor to be, Sir,

Your obedient servant,

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1708.

September 17, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Chinese Government notified of opening of Canal zone and establishment of Ancon and Crystobal as ports of entry.

(Dept Circular of August 5 complied with)

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September 17, 1904.

Mr. Conger to the Secretary of State.

No. 1

Chinese Government notified of opening of Canal zone and establishment of Amoy and Cratoway as ports of entry.

(Dept Circular of August 3 complied with)

No. 1708.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of August 5. In accordance with which I have informed the Chinese Government that by an order dated June 24, 1904, the President has declared the Canal Zone of the Isthmus of Panama open to commerce with friendly nations, and has established Ancon and Crystobal as ports of entry in the said zone.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

No. 1212.

LEGATION OF THE UNITED STATES OF AMERICA
PEKIN, CHINA.

September 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of Department Circular of August 3. In accordance with which I have informed the Chinese Government that by an order dated June 24, 1904, the President has declared the Canal Zone of the Isthmus of Panama open to commerce with friendly nations, and has established Anson and Cristobal as ports of entry in the said zone.

I have the honor to be, Sir,

Your obedient servant,

DEP'T OF STATE
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DIPLOMATIC BUREAU.
Ack + file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

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No. 1709.

September 17, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Satisfactory settlement of the case of the murder of Belgian missionaries at Lichuan.

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No. 1709.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 17th, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

In July last, as has already been telegraphed to the public press, one Belgian Catholic Bishop and two Priests were murdered at Lichuan, in the Province of Hupeh; a fairly correct account of which will be found in a clipping from the North China Daily News which I enclose.

I also enclose an excerpt from the China Times of the 2nd instant which contains substantially the terms of the satisfactory settlement which is now about concluded between the French Minister and the Chinese Government.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosures:

Clipping from the North China Daily News;

Excerpt from the China Times.

Enclosure No.— In Despatch No. 1709.

Chou Worthy of Praise

As we are always among the first to criticise the actions of both the Imperial and local Chinese authorities, especially in matters connected with Europeans, and of late we are afraid that we have not been able to write much commendatory on the subject; it is all the more gratifying to be able to draw attention to and praise the actions of the Chinese officials in a noted case of recent occurrence, specially brought to our notice.

It will be remembered that during the last week in July some Belgian missionaries; Bishop von Haegen, his brother and Pere Robberecht, were murdered by Chinese in Southern Hupeh Province, in what appeared to be a fanatical local outbreak. The French Legation, being the protectors of the Catholic Missionaries in China, took the case in hand and have now arranged a settlement with the Chinese authorities on the following lines. (1) the Punishment of the murderers, (2) the degradation of the minor officials, (3) the erection of a charitable hospital, (4) a Funeral of honour to the victims, and (5) the payment of compensation (only) to the families of some Chinese converts who were murdered at the same time.

The facts are simple and the results most gratifying; especially as no claim, either monetary or for land, was made on account of the death of missionaries themselves. This is the effect of making moderate demands and, is in distinct contrast to the course of action taken by another nation in a similar affair some years ago. Taken in conjunction with another recent case of promptness in action and liberality in payment, where a foreigner was killed by Chinese soldiers, the authorities of both the French Legation and the Chinese Government can be congratulated upon the signs of promise and a better understanding in any such or similar future cases.

ICHANG.

North China Daily News
Aug 22 '04

(FROM OUR OWN CORRESPONDENT.)

27th August.

The Lichuan Massacre.

I have just received these details of the murder of the Roman Catholic Bishop from a small official. It looks a probable enough explanation and shows how large a matter in China a little fire kindleth.

The Bishop went from Ichang with a priest and a native helper named Chia. At a place, Shantszti, 90 li from Sinanfu, as Mr. Chia was riding past, a boy of about fifteen years of age shouted out something uncomplimentary regarding foreigners. Chia for this gave the lad a thrashing. Afterwards the lad gave chase and bespattered Chia with mud, and on reaching the Bishop he reported the matter to him. The Bishop suggested that he should see the local gentry about it and finally it was decided that a six-table feast should be given and 60,000 crackers let off as a peace offering. When the feast was spread Chia took umbrage at the quality of the crockery and three of the tables were upset, but on hearing that this was the finest ware in the district the indignation was appeased and the feast was resumed. The Bishop became impatient at all this delay and, remarking that he would go on alone, he left. By this time, a large crowd had gathered and seeing the Bishop go off alone they decided he had gone to appeal to the official, so they went after him, bound him and brought him back. The conversation then turned on the whereabouts of the two priests, and Chia said they were away to get soldiers. This terrified the crowd, some of whom went out after them and captured them. Then, knowing they were in for trouble, they decided they would kill first, and the bishop, two priests, and Chia were forthwith dispatched.

Enclosure No. — to Despatch No. [illegible]

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

DIPLOMATIC
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No. 1710.

September 21, 1904.

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Mr. Conger to the Secretary of State.

Subject:

Case of Nataloe Nalis. Transcript of proceedings forwarded. Executive clemency ought not to be extended at this time.

(Dept Instruction No. 825 of July 20, 1904)

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CHIEF CLERK.
OCT 31 1904
Department of State.

No. 1710.

September 23, 1904.

Mr. Conger to the Secretary of State.

Subject:

Case of Natalie Malia. Transcripts of proceedings Forwarded. Executive clemency ought not to be extended at this time.

(Dept Instruction No. 889 of July 30, 1904)

No. 1710.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 21st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Complying with Department Instruction No. 825 of July 20th, 1904, I have the honor to transmit herewith a certified transcript of all the judicial proceedings in the case of Nataloe Nalis, who was tried and convicted by the American Consul General on the 18th of December, 1902, and to say that, in my opinion, executive clemency ought not to be extended to the prisoner at this time.

There is no question but that Nataloe Nalis killed the Chinese Cha Ah-yung. The killing evidently was not premeditated, but was the result of a row in which Nalis and his companions were the aggressors, and it is not even shown that the killing was in self defence.

The case seems to have been fairly and carefully tried, and the verdict of "unlawful killing" was unanimously agreed to by the associates who sat with the Consul General during the trial.

The sentence does not seem to me excessive. There is a general feeling among foreigners of the class to which the convicted man belongs, and who frequent the treaty ports, that the Chinese have no rights which they are bound to respect, and their usual treatment of them is extremely harsh and brutal; hence an example of just such punishment as is being inflicted upon Nalis is necessary to prevent frequent like occurrences in the future. It is also important that the Chinese Government and people should understand that we can be as just and fair in pun-

ishing

No. 1710.

September 21st, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Complying with Department Instruction No. 825 of July 20th, 1904, I have the honor to transmit herewith a certified transcript of all the judicial proceedings in the case of Natalie Malie, who was tried and convicted by the American Consul General on the 18th of December, 1903, and to say that, in my opinion, executive clemency ought not to be extended to the prisoner at this time.

There is no question but that Natalie Malie killed the Chinese Chu Ah-yung. The killing evidently was not premeditated, but was the result of a row in which Malie and his companions were the aggressors, and it is not even shown that the killing was in self defense.

The case seems to have been fairly and carefully tried; and the verdict of "unlawful killing" was unanimously agreed to by the associates who sat with the Consul General during the trial.

The sentence does not seem to be excessive. There is a general feeling among foreigners of the class to which the convicted man belongs, and who frequent the treaty ports, that the Chinese have no rights which they are bound to respect, and their usual treatment of them is extremely harsh and brutal; hence an example of just such punishments as is being inflicted upon Malie is necessary to prevent frequent like occurrences in the future. It is also important that the Chinese Government and people should understand that we can be as just and fair in pun-

ishing

ishing crimes committed by Americans against Chinese as we insist that they shall be for crimes committed by Chinese against Americans.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Certified copy of the judicial proceedings in the case of the United States vs. Nataloe Nalis.

P.S. I have spelled the name "Nataloe Nalis" as given in the sentence of the Court

E. H. C.

lating crimes committed by Americans against Chinese as to insist that they shall be for crimes committed by Chinese against Americans.

I have the honor to be, Sir,

Your obedient servant,

Enclosure No. 1 in Despatch No. 1710.

U. S. Consulate General,
Shanghai, China. } Ss.

I, John Goodnow, Consul General of the United States of America to Shanghai, China, hereby certify, after careful comparison, that the hereto attached pages contain a full and true copy of all the judicial proceedigns in the case of the U. S. vs Natalo Nallis.

In witness whereof I hereunto set my hand and seal this thirteenth day of September, A. D. nineteen hundred and four.

John Goodnow

Consul General, U. S. A.

U.S. vs Natalio Nalis.

Dec 18 1907

Crawford, C.R. Bennett, C.F. Linder and C.J. Kirby were chosen as Assessors, agreed to by Def'ts attorney and were sworn.

Def't was represented by Ex Lamme Ef.

It was agreed to admit the testimony in the case of U.S. vs E. Morano as taken in this case.

E.F. Martinez was sworn as interpreter for the Filipino witnesses and ~~the~~ Interpreter Barchet interpreted for the Chinese witnesses.

The Municipal Police charged Natalio Nalis with ~~murder~~ killing Cha Ah-yung on Nov 27 1907 in Pootung within the jurisdiction of the US Consular Court at Shanghai.

E.F.Martinez, (Davies & Thomas) sworn as Interpreter.

Copy

Natalor Nalis, Filipino Storekeeper on the U.S.A.T. "LISCUM", sworn.-

"On November 27th at 6:55 P.M. Ecolastico Morano came into the house (Godown "A") and called out "come together to help carry home two of our men who have been killed." I went with him, through one gate, four or five yards ahead of him. When I looked around I could not see Ecolastico. A lot of Chinese with bamboos attacked me as soon as I passed the gate. I was surrounded by Chinese so that I could not get away and I saw a Chinese with a knife with which he cut my finger as I defended myself. The Chinese and I fell to the ground, then the other Chinese ran away. The Chinese who fell did not get up. Then I ran away and went back to the house."

(Signed) E.F.Martinez,
Interpreter.

H.V.Martinez. (Device & Thomas) sworn as

Interpreter.

Metaler Merle. Filipino storekeeper on the

U.S.A.T. "Tiegum", sworn.-

"On November 27th at 0450 P.M. Pacification

Group came into the house (Codeor "A") and called out

"come together to help carry home two of our men who have

been killed." I went with him, through one gate, four or

five yards ahead of him. Then I looked around I could not

see Pacification. A lot of Chinese with bamboos attacked me

as soon as I passed the gate. I was surrounded by Chinese

so that I could not get away and I saw a Chinese with a

knife with which he cut my finger as I defended myself.

The Chinese and I fell to the ground, then the other Chin-

ese ran away. The Chinese who fell did not get up. Then I

ran away and went back to the house.

(Signed) H.V.Martinez.

Interpreter.

copy

Antonio Rio, Filipino Quartermaster on the U.S.A.T."LISCUM", sworn.-

"On November 27th about 6:30 P.M. I went to take a sampan from the International Dockto Shanghai. On landing I fell into the water and wanted to retrun to Pootung to change my clothes. The sampan man (Chinese) refused. I took another sampan. Ecolastico Morano and Denisio Lopez were with me. After we had landed at the International Dock, we had walked about ten yards when we saw about 20 Chinese who attacked us with bamboos. I knew no reason for the attack. I paid the Sampan man who brought us to Shanghai but had not paid the one who took us back, who objected to our not paying him. He called his friends who came and attacked us. Denisio and I jumped into the water to escape and we were under the wharf about two minutes. Then we went home and changed our clothes which were wet. I do not know where Ecolastico went when we went under the wharf. I saw Ecolastico at 7:05 when he came into the house. I was in bed and did not look at or speak to Ecolastico. The dead man was not the sampan man who took us over. Next mprning the storekeeper said to me that Ecolastico called him and now he was in trouble. The storekeeper said he had killed a Chinese."

(signed) E.F.Martinez.

Antonio Mio, Filipino Quartermaster on the
U.S.A.T. "LIGONIER", sworn.-

On November 27th about 6:30 P.M. I went to take a sampan from the International Bund. On landing I fell into the water and wanted to return to Pootung to change my clothes. The sampan man (Chinese) refused. I took another sampan. Bonifacio Moreno and Deolalo Lopez were with me. After we had landed at the International Bund, we had walked about ten yards when we saw about 20 Chinese who attacked us with bamboos. I knew no reason for the attack. I paid the Sampan man who brought us to Shanghai but had not paid the one who took us back, who objected to our not paying him. He called his friends who came and attacked me, Deolalo and I jumped into the water to escape and we were under the water about two minutes. Then we went home and changed our clothes which were wet. I do not know where Bonifacio went when we went under the water. I saw Bonifacio at 7:00 when he came into the house. I was in bed and did not look at or speak to Bonifacio. The dead man was not the sampan man who took us over. Next morning the storekeeper said to me that Bonifacio called him and now he was in trouble. The storekeeper said he had killed a Chinese.

(signed) A.T.Martinez.

copy

Denisio Lopez, Filipino 2nd Boatswain on the U.S.A.T."LISCUM", sworn.-

"I and Ecolastico and Antonio crossed to Shanghai on Nov.27th. I paid the sampan man 20¢. Antonio fell down in the water. Ecolastico hit the sampan man, w ho jumped ashore and ran away. We took another sampan and returned to the International Dock. I had no more money. We walked away about ten yards when I saw more than 20 Chinese coming. I don't know why the Chinese attacked us with bamboos. When one of them struck me and hurt my finger with a bamboo I and Antonio jumped into the water. When I was in the water a Chinese hit me with a bamboo. We were under the wharf about two minutes when I went home without further trouble. I changed my clothes and lay down on my bed. I do not know where Ecolastico was when we went into the water. After seven o'clock I saw Ecolastico come home. I did not speak to him; his clothes were not wet. I saw him wash his trousers next morning at 5:30 A.M. Next morning Ecolastico said to me that Nataloe went with him and killed a Chinese. I did not talk to.The sampan man who brought us to Shanghai did not take us back to Pootung. We were not towed back to Pootung by a steam launch. Ecolastico brought us back to Pootung. Ecolastuco drove the sampan man away from his sampan and took us back to Pootung himself."

(Signed) E.F.Martinez.

Deriato Lopez, fireman and boatswain on the
S.S.A.F."ISLOMA", sworn.-

I and Nicolaetto and Antonio crossed to Shan-
hai on May 27th. I paid the sampan man $50. Antonio fell
down in the water. Nicolaetto hit the sampan man, & he
jumped ashore and ran away. We took another sampan and
returned to the International Dock. I had no more money.
We walked away about ten yards when I saw more than 20
Chinese coming. I don't know why the Chinese attacked us
with bamboos. Then one of them struck me and hurt my fin-
ger with a bamboo I and Antonio jumped into the water.
When I was in the water a Chinese hit me with a bamboo.
We were under the water about two minutes when I went
home without further trouble. I changed my clothes and
lay down on my bed. I do not know where Nicolaetto was
when we went into the water. After seven o'clock I saw
Nicolaetto come home. I did not speak to him; his clothes
were not wet. I saw him wash his trousers next morning at
8:30 A.M. Next morning Nicolaetto said to me that Antonio
went with him and killed a Chinese. I did not talk to the
sampan man who brought me though did not take us back
to Footang. We were not towed back to Footang by a steam
launch. Nicolaetto brought us back to Footang. Nicolaetto
drove the sampan man away from his sampan and took us
back to Footang himself.

(Signed) D. Martinez.

Copy

Sü 'Chinese), cautioned, said that a foreigner came in his boat from Pootung to Shanghai on Nov.27th. At the Shanghai side about 5:00 P.M. three Filipinos attacked him. Identifies Rio, Morano and Lopez. He jumped into the water. The Filipinos threw all his belongings into the water. Another sampan took him to Pootung where the Filipinos had gone in his sampan. He called a steam launch to bring his sampan ashore, the three Filipinos being in it. The Filipinos attacked him and cut his head with a stick. He then went and hid. Later he heard that some one was killed. Identifies Ecolastico Morano as the one who struck him on the Shanghai side and who struck him at Pootung. He went to the Godown to have his head bandaged/ He saw the dead body that evening about seven to eight o'clock. Cross examined: It was not very dark when he was attacked. It was about 5:00 P.M. when he was attacked in Shanghai; about 5:30 at Pootung. Only Ecolastico struck me. Signed S/P Bucchel Int.

Yang, Chinese, cautioned. Remembers night of murder. About seven o'clock some foreigners attacked him and other coolies as he was eating his supper at the Cosmopolitan Dock. The murdered man was in the same crowd. He was wounded in the wrist and side. Does not know with what. Only knows that he was frightened out of his wits and ran away. Later he went back (half an hour) and saw the man dead. Signed S/P Bucchel Int

Sung, Chinese, cautioned. Remembers night of the murder. He was with Cha Ah Yung and 10 others eating supper at the Cosmopolitan Dock. Some foreigners rushed in from boats and attacked them and they all ran away. It was dark and he could not see whether they were white or not. He was struck on the side of the head with a bamboo pole and fell down stupified and lay about half an hour. He did not see the body that night; nor did he see (identify) the body next day.

De Vreese), continued, said that a torpedo
came in his boat from Pedro to Stamford on Nov. 27th. At
the Stamford side about 8:00 P.M. three Filipinos attacked
him. Identified Pio, Nonna and Lopez. He jumped into the
water. The Filipinos threw all his belongings into the
water. Another American took him to Pedro where the Fili-
pinos had gone in his company. He called a stop there to
stop the Filipinos before they could leave. Identified
the Filipinos attacked him and hit him with a stick.
He then went and hid. Later he heard that Nonna was
killed. Identified Constantino Lorenzo as the one who struck
him on the Stamford side and was struck him at Pedro.
He went to the Sedona to have the head bandaged. He saw
the head body that evening about seven to eight o'clock.
Cross examined: It was not very dark when he was attacked.
It was about 8:00 P.M. when he was attacked in Stamford;
about 8:30 at Pedro. Only Constantino struck me.

Van. Clifton, continued. December night of
murder. About seven o'clock some Americans attacked him
and other cocolies as he was eating his supper at the Cos-
mopolitan Dock. The murdered man was in the same crowd.
He was wounded in the wrist and side. Does not know with
what. Only knows that he was frightened out of his wits
and ran away. Later he went back half an hour and saw
the man dead.

Cross. Clifton, continued. December night of
the murder was sitting in Long and to others waiting
supper at the Cosmopolitan Dock. Some Americans Pushed
in three boats and attacked them and they all ran away.
It was dark and he could not see whether they were white
or not. He was struck on the side of the head with a bam-
boo pole and left them engaged. They about half an
hour. He did not see the body that night nor did he see
it identify the body next day.

Copy

Cross examined: Does not know how many foreigners attacked. He saw three, one of whom struck him.

Signed J.P. Bassett Interpreter

Others offered as witnesses to testify as above - Agreed.

A Chou, Chinese, cautioned, says that he saw two foreign caps about two steps away from the body. (It is agreed that they were caps marked "U.S.A.T.LISCUM").

Signed J.P. Bassett Interpreter

D.S.J.McDonell, sworn. "On November 29th I went to Pootung having heard of a murder. I found the dead body of a coolie named Cha Ah Yung (Place marked V on map). I was handed two caps marked "U.S.A.T.LISCUM". I went to the Godown where the sailors from the Liscum lodged. The caps were claimed by Rio and Lopez. I arrested Rio, Lopez and Morano. On December 7th Ecolastico stated to Captain Carleton in my presence, through an interpreter (the boatswain) that he was present when the Chinese was stabbed by the storekeeper Nalis. He said that he went to the Godown after the row with the Chinese began and called for assistance; all refused to go except the storekeeper: that he saw the storekeeper take the knife out of his box and went and that he saw the Storekeeper stab the Chinese."

Signed D McDonell

Captain W.A.Carleton of the Liscum. I understood Ecolastico to say that the storekeeper stabbed the Chinese. I do not know how he knew it. The Boatswain understood very little English.

Signed W A Carleton

It is agreed that Cha Ah Yung was killed at the place designated in the plan on Nov.27th 1902.

Dr.S.A.Ransom, sworn.- Saw the murdered man, who was probably killed by an instrument sharp on both edges. There were six wounds. The probably fatal wound was on the left the side 1 inch below and two inches external to the nipple. There was another probably fatal

copy

wound in the back. All wounds indicated force. The wounds were inflicted by a weapon. A pocket knife could not have made the two wounds mentioned above.

signed Sa Ramon

The testimony of Chinese in U.S. vs E.Morano admitted as of the case vs Nataloe Nalis.

Ecclastico Morano, sworn. Testified that he, Denisio Lopez and Antonio Rio took a sampan from Pootung to Shanghai. Lopez paid 20¢ to the sampan man. Antonio fell in the water and we others sprang ashore. I asked the boatman why he moved the boat so that my friend fell in the water and I struck the sampan man on the head. I was druhk. I helped Antonio into the sampan and the sampan man ran away. I called another sampan. A sampan came from Pootung and we took that sampan. I wrestled with the sampan man and we fell into the water; the man rany away and I took the sampan and galohed ~~his~~ three to Pootuhg. I tied up the sampan to the wharf and we three went ashore. We walked about 20 yards and saw about 20 Chinese coming. The Chinese attacked us, we giving no provocation. I was struck on my head and on my mouth, breaking a tooth. I ran away to the Godown where we lived. I asked all those in the Godown to come and help, for I did not know what had become of the other two. The storekeeper (Nalis) came with me. I did not see him take any weapon. I did not have a knife myself. I went through the gate (see plan) with the storekeeper. I turned towards the river and the storekeeper keeping away from the river. I did not see anybody. I walked half way back to the Cosmopolitan Dock. Not finding my friends I returned to the gate, thence to the Godown. I reached the steps of the Godown as the storekeeper did. The storekeeper said "I killed a Chinaman." Next morning at six o'clock the storekeeper said that he took a knife from a Chinaman and killed the Chinaman. That was all he said. I heard a row after we passed the gate. It was dark.

wound in the back. All wounds indicated force. The wounds were inflicted by a weapon. A pocket knife could not have made the two wounds mentioned above.

The testimony of Chinese in U.S. vs Antonio Abatted as of the case vs Antonio Abila.

Constable Jordan, sworn. I am that one Deputio Lopez and Antonio Abila a couple from Cantonment to Campbell. Deputy told me to take Antonio Abila in the water and he others swung Antonio the position why he swung the body so that my friend fell in the water and I struck the weapon now on the head. I swung Antonio. I helped Deputio into the canoe and the canoe pas two rea ves. I called another weapon. A weapon came from Deputio and we took that weapon. I wrestled with the weapon man and we fell into the water; the man ran away and I took the weapon and walked as there to Deputio. I called my friends to the woods and we three went ashore. We walked about 80 yards and saw about 50 Chinese coming. The Chinese attacked us, we giving no provocation. I was struck on my head and on my mouth, breaking a tooth. I ran away to the godown where we lived. I asked all those in the godown to come and help. As I did not know what had become of the other two. The storekeeper (Delito) came with me. I did not get his name by reason. I did not have a knife myself. I went through the gate (see plan) with the storekeeper. I turned towards the river and the storekeeper [illegible] from the river. I did not see properly. I walked half way back to the Cosmopolitan Dock. Not finding my friends I returned to the gate. Hence to the godown. I reached the steps of the godown as the storekeeper told the storekeeper said "I killed a Chinaman." Next morning at six o'clock the storekeeper said that he took a knife from a Chinaman and killed the Chinaman. That was all he said. I heard a ron after we passed the gate. At that time

Copy

I could not see well. I saw fifteen or more Chinese. I saw the storekeeper attacked by Chinese. I was about 16 yards from the storekeeper. I did not go to help him. When I was coming back to the gate the first time I saw the storekeeper about 20 yards outside the gate apparently, from the noise, fighting with the Chinese. I went down to the river again and then went to the Godown where I saw the storekeeper. I did not see the storekeeper washing his clothes.

signed E T Martinez 2nd Lt

Antonio Rio, sworn, said that the storekeeper on the morning of the 28th said that he had killed a Chinese. He said this to Denisio Lopez and me. He gave no details. I reaffirm the statement made at the preliminary hearing.

signed E T Martinez 2nd Lt

Denisio Lopez, sworn. The storekeeper did not say to me that he had killed a Chinese. Ecolastico said that the storekeeper had killed a Chinese. My testimony at the preliminary examination is true. I did not talk it over the next day, except with Morano.

signed E T Martinez 2nd Lt

Nataloe Nalis, sworn, reaffirmed his testimony at the preliminary examination. I took the knife from the Chinese to defend myself and killed the Chinese. I only struck once, then in front. The Chinese walked about 4 feet and fell on his side. I got no blood on me. I fell on the ground because I was knocked down by the other Chinese. I threw the knife into the water. The knife was a cook's knife about 14 inches long. I did not take the knife from the Godown; I took it from the Chinese. I got the cut in taking the knife from the Chinese. The Chinese was trying to strike me. My thumb was not cut. I threw the knife into the water because it might get me into trouble. I kept the knife in my possession about five minutes. The knife was sharp only on one edge. I did not take any weapon from the Godown.

signed E T Martinez 2nd Lt

I could not see well. I saw fifteen or more Chinese. I saw the storekeeper a called to Chinese. I was about 15 yards from the storekeeper. I did not go to bed. Mamerto I was dozing back to the gate the first time I saw the storekeeper about 20 yards outside the gate at present from the solar, fighting with the Chinese. I went down to the first precinct then went to the second where I saw the storekeeper. I did not see the storekeeper meeting his adversaries.

Antonio Rio, sworn, said that the storekeeper on the morning of the 5th said that he had killed a Chinese. He said this to Benigno Lopez and me. He gave no details. I reaffirm the statement made at the preliminary hearing.

Benigno Lopez, sworn. The storekeeper did not say to me that he had killed a Chinese. Monfortico said that the storekeeper had killed a Chinese. My testimony at the preliminary examination is true. I did not talk it over the next day, except with Lorenzo.

Modesto Naile, sworn, reaffirmed his testimony at the preliminary examination. I took the knife from the Chinese to defend myself and killed the Chinese. I only struck once, then in front. The Chinese walked about 4 feet and fell on his side. I did not stood on me. I fell on the ground because I was knocked down by the other Chinese. I threw the knife into the water. The knife was a cook's knife about 12 inches long. I did not take the knife from the Chinese. I took it from the Chinese I put the out in taking the knife from the Chinese. The Chinese was trying to strike me by throwing me left out I threw the knife into the water because it might get me into trouble. I kept the knife in my possession about five minutes. The knife was sharp only on one edge. I did not take any weapon from the Chinese.

Copy

Shanghai, Dec.18,1902.

IN THE COURT OF THE UNITED STATES CONSULATE GENERAL.

THE UNITED STATES OF AMERICA

VS

NATALOE NALIS.

Having heard and tried the foregoing complaint filed by the Police of the International Settlements of Shanghai on the 29th of November 1902, I find Nataloe Nalis guilty of the offence of having on the 27th day of November unlawfully killed Cha Ah-yung, a Chinese Subject; and I adjudge and sentence him therefor to imprisonment for fifteen (15) years from this date in such prison as shall be determined on by the proper authorities of the United States, with hard labor.

(Signed) John Goodnow,
U.S.CONSUL GENERAL,
ACTING JUDICIALLY.

Official Seal

ASSENTED TO:

(SIGNED) A.W.DANFORTH
" C.R.BENNETT
" C.S.F.LINCOLN
" C.J.ASHLEY.

ASSOCIATES.

DEP'T OF STATE
OCT 31
1904

DIPLOMATIC BUREAU.
To Embassy – Paris.
Act & file.

DIPLOMATIC
NOV 1 1904
BUREAU.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 22, 1904.

No. 1711.

acted
To France
Nov 3

Mr. Conger to the Secretary of State.

Subject:

Establishment of uniform system of transcription of Chinese sounds in the Mandarin tongue; report of Mr. Williams, Chinese Sec'y; (Dep't Instruction No. 831 of Aug.12.)

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CHIEF CLERK,
OCT 31 1904
Department of State.

September 22, 1900.

No. 1711.

Sir: Confer to the Secretary of State.

Subject:

Establishment of uniform system of transcription of Chinese sounds in the Mandarin tongue; report of Mr. Williams, Chinese Sec'y;

(Dep't instruction No. 831 of Aug.12.)

No. 1711.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Replying to Department Instruction No. 831 of the 12th ultimo, enclosing a copy of a despatch from the American Ambassador at Paris, concerning the establishment of a uniform system for the transcription of Chinese sounds in the Mandarin tongue, I have the honor to transmit herewith the opinion of Mr. Williams, the efficient Chinese Secretary of this Legation.

Mr. Williams' extensive knowledge of, and familiarity with, the Chinese language, and his long experience in translating it into English, make his opinion of great value. It is our constant reliance in the Chinese work of the Legation, and I therefore cordially endorse his views as given in the enclosed communication.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure:

Mr. Williams to Mr. Conger, September 21st, 1904.

No. 171.

September 22nd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Replying to Department Instruction No. 801 of the 12th ultimo, enclosing a copy of a despatch from the American Ambassador at Paris, concerning the establishment of a uniform system for the transcription of Chinese words in the Mandarin tongue, I have the honor to transmit herewith the opinion of Mr. Williams, the efficient Chinese Secretary of this Legation.

Mr. Williams' extensive knowledge of, and familiarity with, the Chinese language, and his long experience in translating it into English, make his opinion of great value. It is our constant reliance in the Chinese work of the Legation, and I therefore cordially endorse his views as given in the enclosed communication.

I have the honor to be, Sir,

Your obedient servant,

Enclosure:

Mr. Williams to Mr. Conger, September 21st, 1904.

Enclosure in Des. No 1711

Legation of the United States
PEKIN, CHINA.
Received SEP. 21 1904
Answered SEP 190
No.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Sept. 21, 1904.

Hon. E.H.Conger,

American Minister,

Peking, China.

Sir:- With regard to the Department's No.831 of August 12, and the request of the Secretary of the XII Congress of Orientalists relative to the drawing up of an international manual for the transcription of Mandarin phonetics, I have the honor to say that, all things considered, it is my opinion that the Department should adopt Wade's system of transliteration. Not that it is the most accurate, for it has many defects, but that it is the most widely used by English-speaking people in China, and from a practical point of view is therefore the most satisfactory. There are some respects in which the system of Williams is preferable to that of Wade. Wade's is especially adapted to the transliteration of the sounds as heard in Peking, while that of Williams is better adapted to the writing of Nankingese and Southern Mandarin generally, which is more widely understood than the Peking dialect. But, as Pekingese is the Court language, it is better no doubt to accept it as the standard. Learned societies will no doubt prefer a system of transcription more scientifically exact, but for the uses of the Government Wade's system is sufficiently accurate and has the merit of being widely used and therefore more readily understood.

I have the honor to be, Sir,

Your obedient servant,

E.T. Williams

Chinese Secretary.

Sept. 21, 1914.

Hon. E.H.Conger,

American Minister,

Peking, China.

Sir:- With regard to the Department's No.483 of August 19, and the request of the Secretary of the XII Congress of Orientalists relative to the drawing up of an international manual for the transcription of Manchu phonetics, I have the honor to say that, all things considered, it is my opinion that the Department should adopt Wade's system of transliteration. Not that it is the most accurate, for it has many defects, but that it is the most widely used by English-speaking people in China, and from a practical point of view is therefore the most satisfactory. There are some respects in which the system of William is preferable to that of Wade. Wade's is especially adapted to the transliteration of the sounds as heard in Peking, while that of Williams is better adapted to the writing of Manchurian and Southern Mandarin generally, which is more widely understood than the Peking dialect. But, as Pekingese is the Court language, it is better on doubt to accept it as the standard. Learned societies will no doubt prefer a system of transcription more scientifically exact, but for the uses of the Government Wade's system is sufficiently accurate and has the merit of being widely used and therefore more readily understood.

I have the honor to be, Sir,

Your obedient servant,

DEPT OF STATE
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3
1904
SECRETARY

DIPLOMATIC BUREAU.
To Mr. Bloate as in
first case of Mr.
Rockhill's memorandum.
Ack. aag

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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Secretary of State.
NOV 3 1904

No. 1712.

Acknd. to Great Britain Nov. 4

September 23, 1904

DIPLOMATIC
NOV 3 1904
BUREAU.

Mr. Conger to the Secretary of State.

Subject:

Recent Treaty between Great Britain and Tibet. Copy of, forwarded. Attitude of Chinese Government with respect to.

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CHIEF CLERK.
OCT 31 1904
Department of State.

BUREAU OF THE AMERICAN REPUBLICS
MEMORANDUM

Mr. Conger's No. 1712.

The Secretary has read this
EJB

Dear Mr. Secretary:

The text given in the enclosure to this despatch is different, especially as regards the very important Article IX, from that published in The Times of September 17th last.

It would appear from statements contained in the London Times that the British Government is disposed to amend considerably the treaty signed at Lhasa. [The value of this document is very ably discussed in an article on "The Political Problem in Lhasa", by the Times special correspondent with the Tibetan mission, in the Times of October 18th. It is far from reassuring for the maintenance in Tibet of a policy satisfactory to British interests and wishes.]

November 1, 1904.

W. W. Rockhill

No. 1712.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 23rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit what purports to be a copy of the Treaty recently negotiated between the Representatives of Great Britain and Tibet.

The British Minister, in a reply to an inquiry, informs me that, although he has not yet received the official copy, yet he thinks this is probably substantially correct. He has, however, been furnished with most of Colonel Younghusband's telegraphic dispatches, and has had some conferences with the Wai Wu Pu upon the question.

The Ministers of the Wai Wu Pu say that it is a correct copy, but that if it was signed by the Chinese Representative at Lhassa it was done without authority, and will not be ratified unless it is materially changed. The probability is, however, that Great Britain will find some way to secure its ratification without material changes.

Undoubtedly you will receive a correct copy from London before this reaches you, and you will note the sweeping and conclusive privileges it grants to Great Britain, and will decide whether or not Tibet is such a part of the Chinese Empire as to justify other Treaty Powers in claiming, under the Favored Nation Clause, the same privileges therein.

I have the honor to be, Sir,

Your obedient servant,

E. H. Conger

Enclosure;

Copy of Treaty as above.

Enclosure No. — In Despatch No. 1712.

THE TREATY WITH TIBET.

The following are the terms of the new Treaty between Britain and Tibet, as translated from the Chinese:—

1.—The Government and people of Tibet agree to carry out faithfully the treaty of the 16th year of Kwang Hsu, and to arrange the boundaries of Chah-meng-hsung (哲孟雄) (i.e., the narrow strip adjacent to the border of India,) as provided in Article I. of the Treaty of the 19th year of Kwang Hsu, marking the boundary with fresh boundary-stones.

2.—Besides Ya-tung (亞東) already opened for commerce, Gyangtse is to be opened for the British and the Tibetan merchants to carry on trade or commercial transactions at will. Necessary alterations and additions will be made in the articles of the Treaty of the 19th year of Kwang Hsu between the British with the Tibetans. The articles of the Treaty, after the corrections are made, shall be adopted and put into action at the commercial places of Ya-tung and Gyangtse. The Tibetans are all agreed and decided that in regard to the commercial places of Ya-tung and Gyangtse, traders may still go back and forth, by the same road now used, to and from India in buying and transporting cargo. Other places will be selected and opened to commerce if they are found to conduce to advantages in trade.

3.—With regard to the making of corrections in the Treaty as above stated, the Government of Tibet will appoint a Tibetan officer as representative or delegate who will work together with a British officer.

4.—The amount of dues on cargo shall be fixed by the British in consultation with the Tibetan merchants. But no other dues shall be charged or added in future to the dues when once they are fixed, except by the same process of consultation between the parties.

5.—No tax stations or Customs are to be established along the roads between the boundaries of India and those of Ya-tung and Gyangtse. The Tibetan Government shall improve any road which is difficult and dangerous, so as to allow clear and easy passage for traffic. The Tibetan Government shall appoint a special Tibetan officer at Ya-tung and Gyangtse who will forward the official letters and despatches of the British representative in Tibet to the Governor of Tibet, to Chinese or Tibetan officials, or to whomever they are addressed. The same shall be done in case of opening new commercial quarters.

No other foreign nation shall be allowed to send any person, public or private, to Tibet to assist the Tibetans to manage any of their affairs. No other foreign nations are or shall be entitled to take up road, railway, telegraph or mining works in Tibet. In case Great Britain is willing that another nation or its nationals should undertake road, railway, telegraph or mining works Great Britain will make the necessary arrangements. The real properties (i.e. territories) of Tibet and its monetary properties (i.e. mines, Customs, etc.) shall not be mortgaged, leased or sold to any other nation or exchanged for advantages offered by other nations.

6.—Owing to the repeated breaches of treaty and the shame inflicted upon the British boundary commissioner, and the raising of arms without reason against the British, an indemnity of £50,000 (= 7,400,000 rupees) shall be paid by the Tibetans, to be divided into three instalments to be paid yearly.

The first instalment, i.e. 2,500,000 rupees, shall be paid on the 1st day of January, 1906. The place at which the instalment shall be paid shall be Ta-chi-ling in Tibet, or such other place as may be made known to the Tibetans beforehand.

7.—In order to assist the Tibetans to take up promptly and act upon the above Articles 1-5, as to commerce, and Article 6, as to indemnity, the British shall station representatives at Chun-mei for a period of three years. After that period they will continue be stationed at the said place until the instalments are fully paid.

8.—All the barricades, forts, defences and other hindrances to free passage for merchants between India and Gyangtse are to be abolished.

9.—No territory in Tibet is to be sold, mortgaged, or leased to any foreigner of whatever nationality without the knowledge and express consent of Great Britain. No foreigner of another nation shall be entitled to participate in the government affairs of Tibet.

10.—This treaty is to be signed and sealed at Hsi-chao (西招) temple on the 2nd of Sept. 1904, i.e. the Tibetan 23rd day of the 7th moon of this year, by Yang (楊) (Col. Younghusband?) the boundary Commissioner, and the Dalai Lama of Tibet.

The treaty is written in English and Tibetan; the English copy is to be taken as the correct one in case of difference or dispute.

It will be seen that the Treaty provides:—

(1) for an indemnity of half a million, which will be collected by the Government of India and will set at rest the Wedderburnian inquiries as to who is to pay the cost of the expedition.

(2) for the opening of places for trade.

A telegram in another column appears, perhaps owing to a telegraphic omission, to confuse the two clauses.

DEP'T OF STATE
OCT
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ASSISTANT SECRETARY

DIPLOMATIC BUREAU.

Usual Circular Instruction.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1713.

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September 23, 1904.

DESPATCH
NOV 1 1904
BUREAU

Mr. Conger to the Secretary of State.

Subject:

"Promotion of Trade Interests" - Reply to Department circular of July 29, 1904.

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CHIEF CLERK
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Department of State.

No. 1710

Asia
China
Report from the Legation

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 23rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Omit

Sir:

Replying to Department Circular of July 29th, "Promotion of Trade Interests," I believe that much can be undoubtedly be accomplished by the systematic co-operation of the Diplomatic and Consular services in gathering information relative to trade interests in China.

Many queries are now addressed to the Legation. More accurate and comprehensive replies could be made to these if someone were deputed to make inquiries by circular of all the Consuls, and to digest and summarize the replies received. Consuls now make most interesting and valuable reports on many subjects, but many of them could be made more valuable by complementary reports from other districts on the same subjects. A more comprehensive view of any particular trade as conducted throughout the Empire could thus be obtained. Regular reports could also be arranged on special subjects to be made at stated periods by each Consul, and then could be edited at the Legation.

Peking is far to one side, and not being a port of international trade, the Legation is very much out of touch with commercial interests. This defect could be remedied by the method proposed. Communication is slow and difficult between the various provinces of China, and it might be best to have important inquiries from the ~~Consular Bureau~~ Department addressed, as now, directly to each Consul, with instructions to report to Peking, sending a copy, at the same time, to the Department, at least from the more distant Consulates.

Replying to your inquiries in their order:

No. 1;

September 23rd, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

Replying to Department Circular of July 20th, "Promotion of Trade Interests," I believe that much can be undoubtedly accomplished by the systematic co-operation of the Diplomatic and Consular services in gathering information relative to trade interests in China.

Many queries are now addressed to the Department, more accurate and comprehensive replies could be made to these if someone were deputed to make inquiries by circular of all the Consuls, and to digest and summarize the replies received. Consuls now make most interesting and valuable reports on many subjects, but many of them could be made more valuable by complementary reports from other districts on the same subjects. A more comprehensive view of any particular trade as conducted throughout the Empire could thus be obtained. Regular reports could also be arranged on special subjects to be made at stated periods by each Consul, and then could be edited at the Capital.

Peking is far to one side, and not being a port of international trade the Legation is very much out of touch with commercial interests. This defect could be remedied by the method proposed. Communication is slow and difficult between the various provinces of China, and it might be best to have important inquiries from the Consular Bureau addressed, as now, directly to each Consul, with instructions to report to Peking, sending a copy, at the same time, to the Department, at least from the more distant Consulates.

Replying to your inquiries in their order:

No. 1; With the assistance of a Commercial Attache, yes.

No. 2; No.

No. 3; The appointment of a Commercial Attache.

Such Attache should be a man of experience in commercial affairs, with special aptitude for the work. He should be familiar with China, its resources and customs, and, preferably, able to speak Chinese. If not able to do so, he ought to be supplied with an Interpreter especially detailed for such work.

Other Governments, notably Great Britain, France, and Germany, have such Attaches. Those of Great Britain are men detailed from the Consular service, and have had long experience in China, are able to speak Chinese, and give special attention to such investigations.

The appointment of an untried man would be worse than useless; it would probably lead to unnecessary and annoying delays and confusion.

Chinese industrial and commercial institutions are so unlike those of the West, and the conditions of trade so peculiar here, that one unfamiliar with them is apt to be misled and to make rash and untrustworthy generalizations.

I have the honor to be, Sir,

Your obedient servant,

C. A. Conger

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No. 2; No.

No. 3; The appointment of a Commercial Attache.

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The appointment of an untried man would be worse than useless; it would probably lead to unnecessary and annoying delays and confusion.

Chinese industrial and commercial institutions are so unlike those of the West, and the conditions of trade so peculiar here, that one unfamiliar with them is apt to be misled and to make rash and unprofitable generalizations.

I have the honor to be, Sir,

Your obedient servant,

DEPT OF STATE
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DIPLOMATIC BUREAU.
Ack & file.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

Mr Rockhill

Secretary of State.
NOV 12 1904

No. 1714.

September 26, 1904.

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Mr. Conger to the Secretary of State.

NOV 15

Subject:

T'ang Shao-i, Customs Taotai of Tientsin, promoted and ordered to Tibet to investigate and deal with situation. His History.

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CHIEF CLERK,
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LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1714.

Sept. 26th, 1904.

To the Honorable
John Hay,
Secretary of State,
Washington, D. C.

Sir :-

I have the honor to communicate a translation of an Imperial Edict, issued to-day, as follows:-

"The Customs Taot'ai of Tientsin in the province of Chihli, T'ang Shao-i, is hereby relieved of the duties of said office, and is promoted to the rank of Expectant Metropolitan Official of the Third Grade, and is further appointed Bravet Deputy Lieutenant General and ordered to proceed to Tibet and investigate and deal with affairs." "Respect this."

This edict calls for brief comment. Mr. T'ang is well known to many Americans, having been educated in the United States, where he was graduated at Yale some years ago. He is a Cantonese; was formerly Secretary to Yüan Shih-k'ai when the latter was Resident in Korea before the war with Japan, and after the war was appointed Consul General for China in Korea. He served under Yüan Shih-k'ai, when the latter was Governor of Shantung during the Boxer uprising, and came with his patron to Tientsin on Yüan's being made Viceroy of Chihli after the troubles of 1900. Upon the abolition of the Provisional Government of Tientsin, he was given the post of Customs Taot'ai at that important port, and has held the post ever since. It is note-worthy that while most of the Ministers sent to foreign countries are but Fourth Grade Metropolitan Officials, Mr. T'ang is promoted to that of Third Grade, and is in addition to his civil rank, given military rank of the Second Grade. He thus out-ranks considerably the Chinese Amban

in

in Tibet, and is especially commissioned to deal with the delicate situation existing there. That he is so thoroughly trusted by the Metropolitan Viceroy is sufficient assurance that the Imperial Government may have perfect confidence in him. His thorough command of English and his wide acquaintance with foreign affairs qualify him in an especial manner for taking part in the negotiations regarding the Tibetan question, but, despite his Cantonese birth and American education, he is most conservative, and is generally regarded by foreigners as obstructive rather than otherwise.

I have the honor to be,

Sir,

Your obedient servant,

E. H. Conger

Envoy Extraordinary and

Minister Plenipotentiary

of the United States.

TELEGRAM RECEIVED IN CIPHER

ASSISTANT SECRETARY, SEP 28 1904

Confirmed Oct 10. Instruction in attached copy. F.M.

From PEKING,

September 27, 1904,

7:21 a. m.

DIPLOMATIC OCT 1 1904 BUREAU.

Secretary of State,

Washington.

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27th Chinese Government has promised in writing that if foreign capital necessary Americans and British should have preference in railway Hankow to Chungking. French and British capitalists will meet in London October 20th to discuss question. British Minister recognizing our rights inquires if American capitalists will not join. ~~(If they do not I shall oppose concessions to others unless otherwise instructed.)~~

CONGER.

Deciphered by the Chief Clerk's Office, September 28, 1904. 9:35

CHIEF CLERK

Department of State.

TELEGRAM RECEIVED IN CIPHER

ASSISTANT SECRETARY.

SEP 28 1904

EKKUS.

September 27, 1904.

7:22 a. m.

Secretary of State,

Washington.

27th. Chinese Government has promised in writing that if foreign capital necessary Americans and British should have preference in railway Harbow to Chunching. French and British capitalists will meet in London October 20th to discuss question. British Minister recognizing our rights inquires if American capitalists will not join. If they do not I shall propose operations to others unless otherwise instructed.

COLEMAN.

Received by the Chief Clerk's Office September 28, 1904. 9:35

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

No. 1715.

September 27, 1904.

DIPLOMATIC BUREAU NOV 14 04

Mr. Conger to the Secretary of State.

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See note from British Am. 4 July 25, 1905. J.M.H.

Acted Nov. 16

Subject:

Hankow-Chungking Railway. American and British capitalists to have preference if foreign capital necessary. Prospects.

(Confirming telegram sent this day)

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CHIEF CLERK, NOV 11 1904 Department of State.

No. 1715.

LEGATION OF THE UNITED STATES OF AMERICA,
PEKIN, CHINA.

September 27, 1904.

To the Honorable

John Hay,

Secretary of State,

Washington, D. C.

Sir:

I confirm my telegram of to-day as follows:

Secstate, Washington.

Twentyseventh. Chinese Government has promised in writing that if foreign capital necessary Americans and British should have preference in Railway Hankow to Chungking. French and British capitalists will meet in London October twentieth to discuss question. British Minister recognizing our rights inquires if American capitalists will not join. If they do not I shall oppose concession to others unless otherwise instructed.

(Signed) Conger.

Both the Thurlow Weed Barnes Syndicate and the China Investment & Construction Company of New York have, through this Legation, made application to the Wai Wu Pu for a railway concession from some point in the province of Szechuen to Hankow, to which the Wai Wu Pu has replied that the British Minister had also asked for such concession, but it was expected that the railway would be built by Chinese capital. If, however, it should be found necessary to employ foreign capital, both the British Minister and I would be notified, and British and American capital be given the first chance.

The French have recently been urging the Chinese Government to give them the concession but have been replied to as above.

To-day the British Minister came and informed me that French capitalists had approached British capitalists at

home

home for the purpose of joining British and French capital in the enterprise, and that a joint meeting was to be held in London on October 20 to discuss the question.

He inquired if I thought American capitalists would join in such an undertaking. I replied that I did not know, but that I would wire the Department what he had said, and that at any rate, whether they did or not, I should insist that the Chinese Government keep its promise with us. He told me that he had already telegraphed to London that the promise of preference was given by the Chinese Government as much to me as to him, and that American and British rights in the matter were equal.

I believe the Chinese Government is sincere in its expressed desire to favor American enterprises of this kind, but the outrageous action of the American-China Development Company with the Hankow-Canton line has largely destroyed the faith of the Chinese in our capitalists.

I have the honor to be, Sir,

Your obedient servant,

C. A. Conger

CANTON-HANKOW RAILWAY.

China Will Not Give Preference to American and British Capital.

Peking, Oct. 4.—It is announced by the American Legation with reference to the Canton-Hankow Railway that a previous statement to the effect that if foreign capital shall be necessary in extending the railway beyond the limits of American and Belgian direction by the construction of a line to Chungking, in the province of Szechuan (832 miles above Hankow), American and British financiers would have the preference, is incorrect. What the Chinese government promises is that if foreign capital is sought, application will first be made to American and British financiers, but that there is to be no preference.

The Canton-Hankow Railway Company was incorporated under the laws of New Jersey, and the majority of the original stock is held in this country. Early this year the Chinese authorities lodged a complaint with the United States government stating that the contract for the building of the railroad had been violated by the transfer of a majority of the shares to Belgians. The Chinese governor of the province made a strong protest to the Chinese minister of railways, urging annulment of the contract and the purchase of the line as far as constructed.

September 8 the State Department received the following dispatch from Mr. Conger, American Minister at Peking:

"In reference to the Canton-Hankow Railway, if foreign capital is necessary in extending the railway to Chungking, American and British capitalists will have the preference, the Chinese government having definitely promised this."

It is this statement which is corrected in yesterday's dispatch from Peking. Mr. Conger added that he would like to know soon if any American capitalists cared to embark in the enterprise.